IMT Nuremberg Archives

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International Court of Justice

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PARTIAL TRANSLATION OF DOCUMENT NO. D-229
OFFICE OF U. S. CHIEF OF COUNSEL

EXTRACT FROM A PAMPHLET "JUDGES LETTERS."

JUDGES' LETTERS

Information Pamphlet on the Reichs Ministry of Justice.

Confidential

No. 1, 1 Oct. 42.

GERMAN JUDGES

According to the ancient Teutonic + conception of justice, the leader of the Nation was also its supreme judge. If, therefore, the Fuhrer invests the authority of a judge on a third person, it not only implies that this person receives his judge's power from the Fuhrer and is responsible to him, but it also proves the close relationship between leadership and the duties of a judge.

P2. para 3.

I, therefore, decided to issue "Judges' Letters" which will be sent to all German judges and Attorney Generals. In particular these "Judges' Letters" will contain such decisions, which, in my opinion, merit special attention in view of their results or proofs. I propose to chew by means of these decisions how a better decision could, and should have been made. On the other hand it is proposed to point out as examples correct decisions of importance to the community.

Last Para.

The contents of the letters are confidential. They will be haded to all Judges and District Attorneys (Staatsanwalte) by the departmental chiefs, against receipt.

I am convinced that the "Judges' Letters" will contribute considerably towards the creation of a German corps of judges, homogeneous in spirit.

Berlin, 1 Oct 42.

(Sgd) Dr. Thierack

Reich Minister of Justice.

Extract from No. 4, CRIME AGAINST FOREIGN CURRENCY LAWS BY A JEW.
Judgment by a County Court of 26 May 1942

The accused, a 36 year old Jew, took over the textile business of his deceased father in 1936 and emigrated to Holland in 1938. In 1941 he was arrested in Amsterdam.....

Last Para.

The County Court decided that "for the reasons stated by the accused" a particularly serious case under para 42 of the Foreign Currency Law of 4 Feb 44, and para 60 of the Foreign Currency Law of 12 Dec 38, did not exist. It sentenced the accused to a total imprisonment of two years, (and fined him 9,000 RM.) including the time spent in prison on remand and preliminary arrest.

The judgment, in considering the reasons for the sentence, takes into consideration the mitigating circumstances and states that the accused was, in principle, without previous conviction; that he had been under a certain amount of compulsion owing to the action of his father and the subborness of his sister. One crime had inevitably been followed by another. Furthermore, by making a confession he had greatly assisted in clarifying the whole evidence. The lengthy period of criminal conduct is then quoted as an aggravating factor, as well as the faudulent conduct towards German authorities, and the demands made of his former employees.

+ free translation for "old Germanic".

.....2.

H1100 - 0008

COMMENTS BY THE REICH MINISTER OF JUSTICE

In deciding the sentence, the Court is using the same considerations which would be applied if the accused had been a German national. This is not admissable. A Jew is an enemy of the German people, who has plotted, stirred up and prolonged this war. Thus he has brought unspeakable misery upon our German nation. He is not only of a different, but also of an inferior racial type. Justice demands that equal measures must not be applied to the unequal and that this racial point of view must not be overlooked in deciding the sentence. In passing a sentence on the accused, who was - as is typical for a Jew - a profiteer to the detriment of German interests, it ought to have been considered first and foremost, that he had extracted considerable sums from the German people over a period of years. Like so many of his race, he deliberately and selfishly damaged vital German interests by ruthless profiteering and fraud. He abused German hospitality which had enabled him and his father to accumulate a considerable fortune, and finally did not hesitate to entice Germans who were economically dependant on him, to commit grave breaches of the Foreign Currency Laws, which endanged their entire existence. The question of whether or not this was a particularly serious case, should have been examined with a view to the general aspect of the German people. It did not suffice in this connection to refer to the unconvincing statements of the accused himself who was certainly not under compulsion during all those four years, but who was acting in his own interest and on his own initiative. The typically Jewish conduct, which is prejudicial to National interests, demanded the sternest judgment and the most severe punishment. In view of those reasons considerations of the psychology of the Jew and his family should have been a matter of utter insignificance.

Extract from "Judges' Letters", No. 3 of 1 Dec 42.

P. 23, No. 14. REFUSAL TO GIVE THE GERMAN SALUTE BY A SCHOOL CHILD.

Decision of a juvenile court on 21 Sept 40.

An 11 year old girl attracts attention by constantly refusing to give the Hitler salute in school. She states that the reason is her religious conviction and even quotes passages from the Bible. At school she shows no interest in questions relating to the Führer.

The parents, who have another daughter 6 years old, approve of the child's conduct and stubbornly refuse to influence the child to the contrary. They, too, refuse the Hitler salute and refer to a quotation from the Bible "Do nothing with thy hand raised because this displeases the Lord". They adhere to this in spite of admonitions by the Court and by the Director of the school. The mother completely refuses to talk to the child about it. The father agrees to talk it over with the child, but the decision is to be left to her. In other ways too the parents show signs of being opposed to the National Socialist State. They do not possess a single Swastika flag. They have not arranged for their child to join the Hitler Youth. They have been barred from the NSV, because they have not made any donations in spite of a sufficient income by the husband. All the same, they deny being opponents of the National Socialist Movement.

The department for the care of Juveniles has recommended that, owing to this attitude, the parents should be deprived of their jurisdiction over their two children.

The juvenile court has declined, and has merely decreed protective supervision.

..... 3.

H1100 - 0009

COMMENTS BY THE REICH MINISTER

OF JUSTICE.

The judge of the juvenile court in his decision, has misunderstood the principles of National Socialist Youth Education. The parental home, the school and the Hitler Youth are the executives of the education of German youth (Law regarding the Hitler Youth, of 1 Dec 36). In collaboration, with each doing its part of the work, they must fulfill their educational task which was entrusted to them by the community. To make our youth fit in mind and body; to educate them to serve the nation and community in the spirit of national socialism - that is the educational aim of their concerted effort.....

Last para.

It was. therefore, the duty of the judge of the juvenile court to cancel the jurisdiction of the parents over the children simply by virtue of the fact that parents, who openly profess the ideas of the "Bibelforscher"† are not fit to educate their children in the National Socialist spirit.

NSV = National Socialist Public Welfare Organisation.

† = Bible Research Society.

17 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D-229

I, P.O. Enid M. Standring, 52012, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. D-229.

Enid M. Standring
P.O., 52012

H1100 - 0010

TRANSLATION OF DOCUMENT 651-PS
OFFICE OF U S CHIEF OF COUNSEL

Reich Minister of Justice

4611 - I a 7 194/38

Berlin W 8, 31 January 1938
Wilhelmstrasse 65
Telephone: 110044

To the
Presidents of the High Courts.

Very Confidential!

Subject: Representation by Counsel of
Inmates of Concentration Camps.

In preparing a decision of Reich Fuhrer SS and Chief of German Police whether individual attorneys can be allowed in general to take over the representation of inmates in Concentration Camps, I ask you to scrutinize at once if and what attorneys in your district could be considered for this purpose. Representation of inmates of Concentration Camps requires a special measure of suitability and dependability. Severe scrutiny is to be exercised in making the selection. Membership in the NSDAP, in so far as it was not acquired until after January 30, 1933, will not of itself warrant the necessary dependability as a rule; on the other hand this prerequisite is not to be denied because the attorney is not a member of the Party. Consideration can only be given attorneys whose attitude leaves no doubt that their views coincide wholly with the political aspirations of the State and the ideology aims of the movement. Moreover, it can be assumed that attorneys whose field of activity does not extend to taking over the defense in criminal affairs, will as a rule not accept representation of inmates of Concentration Camps.

Attorneys suitable for representation of inmates of Concentration Camps who should, if possible, reside in different localities of your district, should be listed in sufficient number according to Offices of the State Police. With reference to the necessity of very confidential treatment. I beg therefore to consult as an expert the president of the Chamber of Counsel about their qualifications. A consultation of offices not within the Administration of Justice is to be avoided. I ask that two copies of the list be presented after receiving the advice of the President of the Chamber of Counsel. With regard to the attorneys names, proof of personal and professional qualification is to be submitted. Besides stating the attorney's characteristic and political attitude and especially his manner of practicing his profession as defense counsel in penal matters, it is also to be investigated, if possible, if reason exists to assume that the attorney has the confidence of the Office of State Police.

An eventual notice of non-compliance is required.

Deputy,
sig. Schlegelberger

stamped:
Reich Ministry of Justice
Office of the Ministry

Certified
sig. Schlichting
Secretary of the
Office of the Ministry

- - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 651-PS

2 November 1945.

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 651-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590.

H1100 – 0011

TRANSLATION OF DOCUMENT 783-PS
OFFICE OF US CHIEF OF COUNSEL

COPY FOR THE MINISTER

Reich and Prussian Minister of Justice
2 F.g10 1696/34

Berlin, W.8, 18 January
Wilhelmstrasse 65

Subject:
Charges againstmembers of camp personnel of
Protective custody camp Hohnstein.

To the communication of 19 December 1934.
-St. S.I. 2593/34--

Most honored Reich Deputy (Reichstatthalter)!

In regard to your courteous communication of 19 December 1934, I inform you respectfully that, on the basis of the decree of the Reich president relative to exercise of the right of nolle-prosse of 21 March 1934 (RGBl,I, page 211) in connection with Article 2, paragraph 1 of the first law for transfer of administration of justice to the Reich of 10 February 1934 (RGBl, I,page 91) the right to nolle prosse pending criminal cases wherein the deed was committed after 20 March 1934, belongs no longer to the Reich Deputy but exclusively to the Fuehrer and Reich Chancellor. Under the circumstances I consider myself not in a position to go to the extent of proposing a nolle prosse of the case to the Fuehrer and Reich Chancellor.

TO
the Reich Deputy in Saxony
in Dresden A1.

Insofar as the deeds were committed before 2 March 1934 and therefor the right of nolle prosse in the case belongs to you, most honored Reich Deputy, I allow myself to express the greatest scruples against the intended nolle prosse. The nature of the mistreatments, particularly the use of the drip-apparatus, is evidence of a coarseness and brutality in the perpetrators which is completely alien to German sensibility and feeling. Such atrocities, reminders of oriental sadism, can find no explanation or excuse even in the greatest bitterness of combat. Crimes of this sort must find their lawful expiation for the very sake of the cleanness and respect of the movement. In view of experiences in other cases, of similar aspect in a certain sense, I am also unable to share the fear that execution of the legal proceedings would be detrimental to the movement. This is all the more true since the main proceedings can take place with complete exclusion of the public.

Heil Hitler!

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 783-PS

17 November 1945

I, Wolfgang D. Thorman, M/Sgt., 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpts of Document 783-PS.

WOLFGANG D. THORMAN,
M/Sgt., 33779426.

H1100-0012

H1100 - 0013

TRANSLATION OF DOCUMENT 784-PS
OFFICE OF US CHIEF OF COUNSEL

Copy

Berlin, June 5, 1935

The Reichminister of Justice
Z.E.A. I 1696.34

I. A message to the deputy of the Fuehrer
Reichminister HESS.

Confidential

Personal

Regarding: penal proceedings against the merchant and SA leader (Lt.Colonel) (Obersturmbannfuehrer) JAHNICHEN and 22 companions on account of inflicting bodily injury on duty (protective custody camp Hohenstein in Saxony).

Dear colleague!

With inference to the bill of indictment sent by me under my communication of March 20, 1935 regarding the penal proceedings mentioned above, I beg to inform you of the following:

After a main Trial, lasting about six weeks, the assistant prosecutor Staatsanwalt Dr. Walther, proposed the following sentences on May 3, 1935:

Against Jaehnichen (Camp Commandant)	5 years	penetentiary
" Zikera	1 Year, 6 months	prison
" Heinz Meier	3 years	"
" Herbert Meier	3 years, 2 months	"
" Tuerke	3 years	"
" Volkmar	2 years, 3 months	penetentiary
" Leuschner	2 years, 3 months	prison
" Romkopf	2 years, 6 months	"
" Karche	1 year, 8 months	"
" Hausch	1 year, 4 months	"
" Lehmann	3 years, 3 months	"
"Kuehnel	1 year,	"
" Stachowski	1 year	"
" Ude	1 year	"
" Friedrich	1 year, 3 months	"
" Schmeling (Police)	1 year	"
" Konitz	1 year	"
" Uhlmann	1 year	"
" Sturzkober	10 months	"
" Schupp	1 year, 6 months	"
" Hensel	2 years, 3 months	"
" Heinicker	1 year, 6 months	"
" Putzler	3 years, 9 months	penetentiary
" Liebscher	7 months	prison
" Heeger	Suspension on account of amnesty.	

On May 15, 1935 the Criminal division number 12 of the Supreme Court in Dresden pronounced the verdict, by which on account of offences against Art. 340 of the Penal Code the following were sentenced:

Jaehnichen	to 6 years	prison
Zikera	" 1 year 6 months	"
Heinz Meier	" 3 years	"
Herbert Meier	" 3 years	"
Tuerke	" 3 years	"

H1100-0014

TRANSLATION OF DOCUMENT 784-PS
OFFICE OF U.S. CHIEF OF COUNSEL

(Cont.)

Volkmar	to	2 years	3 months	prison
Leuschner	"	2 years	3 months	"
Romkopf	"	2 years	6 months	"
Karche	"	1 year	3 months	"
Hausch	"	1 year	4 months	"
Lehmann	"	3 years		"
Kuehnel	"	1 year		"
Stachowski	"	1 year	6 months	"
Ude	"	1 year		"
Friedrich	"	1 year	3 months	"
Schneling	"	1 year		"
Konitz	"	1 year		"
Uhlmann	"	1 year		"
Sturzkober	"		10 months	"
Schupp	"	1 year	3 months	"
Hensel	"	2 year		
Heinicker	"	1 year	6 months	"
Putzler	"	3 year	9 months	"

Against Liebscher and Heger suspension was an thorized on the basis of the low governing amnesty.)

After the proposal of the sentence, however, still before the announcement of the verdict, the chairman of the Criminal division number 12 received the following letter from the Reich governor (Reichsstatthalter) of saxony:

"Official Seal

The Reich Governor (Reichsstatthalter)
of Saxony
II 84/35

Dresden-A.1, May 8,1935
Mailbox 78
Telephone 24 371.

To
The president of the Supreme Court
(Landgerichtsdirektor)
Dr. ROTH

Dresden - A
Pillnitzer Street 41

The President of the Supreme Court:

Sir:

As I was informed, it is proposed to impose a punishment of 3 ½ years of penal servitude upon the accused Standartenfuehrer Jachnichen. Without wanting to interfere in the proceedings or intending to influence you as Judge in any way before the verdict is announced , I should nevertheless like to once more call your attention to the fact that the circumstances, as they had been brought about by the revolution of 1933 and as they, without doubt were still taking effect up to the beginning of 1934, cannot be overlooked, when pronouncing sentence.

A further point appears to me to be worth taking into consideration, namely, the fact that one cannot accuse Jachnichen of having a low character and that, above all, in Hohenstein the scum of humanity had to be attended to. In consideration of this fact I should like to leave it to you to consider whether the lapses call for such a severe degree of punishment or rather whether a pardon could not be considered.

As Gauleiter of NSDAP I regard it as my duty to call attention again to the unusual circumstances.

Heil Hitler
signed: Martin Mutschmann."

H1100 - 0015

TRANSLATION OF DOCUMENT 784-PS
OFFICE OF U.S. CHIEF OF COUNSEL

(Cont.)

Moreover the information has come to hand that the two magistrates (Schoeffen), who functioned as judges in the principal trial, namely, Regierungsamtmann Helbig and the merchant Pesler, had been expelled from the NSDAP after the announcement of the verdict I do not know by whom this expulsion was ordered.

Finally it has been put to the assistant prosecutor, Staatsanwalt Dr. Walther, who is a storm trooper, after the pronouncing of the verdict on his Obersturmbannfuehrer, that he should resign from the SA.

The fact that these measures were taken at the same time as the verdict referred to above was pronounced, gives rise to the assumption that here also there is something below the surface. However, this would represent an extremely serious and highly undesirable conclusion to the legal and fully binding penal proceedings. If the letter from the Reich governor reproduced here gave the impression that his judicial decisions should be influenced from higher up, then this would certainly influence to an even greater extent any later measures instituted against the 2 magistrates. That kind of procedure against lay judges after the verdict had been pronounced would naturally and necessarily arouse the feeling that, when they are functioning as judges, they are responsible to a certain office for their work. Hereby the judicial unpartiality, which is the foundation of every orderly administration of criminal law becomes null and void. Moreover, the lay judge, who upon entering service, must swear an oath, that he will discharge his duties conscientiously and to the best of his ability, would find himself forced to battle with his conscience. No less serious would be the consequences of such measures for the assistant public prosecutor. This official would also have to battle with his conscience, while carrying out his duties. Then by the orderly official work of the authorities for the administration of criminallaw would be so seriously endangered that I would find myself obliged to consider the question whether in the face of such a state of affairs public prosecutors and judges could still be functionaries of the party or members of the SA at all.

Hence it appears to be necessary,

1. in the case in question to remove the confusion, resulting from the measures indicated above, by suitable countermeasures
2. to take steps that such occurrences altogether incompatible with the administration of criminal law and the public security guaranteed by the state are avoided.

I would respectfully request your comments and information with regard to any action in this direction. Considering the importance of this case, I would be obliged if you would reply as early as possible.

Heil Hitler!

Signed: Dr. Guertner.

2. A letter to the Chief of Staff of the SA of the NSDAP with a copy or the following accusation enclosed.

In regard to:
- to enter on page 1 -
Enclosed 1 loose leaf

Confidential
Personal

Chief of Staff: Sir:

In the penal case, indicated above, which involved serious maltreatment of prisoners in the protective custody camp at Hohenstein in Saxony, the main trial was held in Dresden from 20 th

H1100-0016

TRANSLATION OF DOCUMENT 784-PS
OFFICE OF U.S. CHIEF OF COUNSEL

(Cont.)

March to the middle of May 1935 before the 12 Criminal Division of the Supreme Court. In regard to the details of the incedents which gave me to the proceedings, may I refer to the enclosed copy of the Bill of indictment of October 1934 and particularly, may I call attention to page 21 of the results of the inquiry.

On May 3, 1935 the assistant prosecutor Staatsanwalt Dr. Walther imposed the following punishment:

- so far insert page 1 & 2 ( ) -

Here has been received that it has been put to the assistant prosecutor Staatsanwalt Dr. Walther, who is a storm trooper, after the pronouncing of the verdict on his Obersturmbannfuehrer, that he should resign from the SA. The fact that this measure was undertaken at the same time as the verdict referred to above was pronounced, gives rise to the assumption that here also then is something below the surface. However this would represent an extremely serious and highly undesirable conclusion to the legal & fully binding penal proceedings. The officials would have to battle with their conscience when carrying out their duties, if such procedure was in force. In this way the orderly official work of the authorities for the administration of Criminal Law would be so seriously endangered, that I would find myself obliged to consider the question whether in the face of such a state of affairs Staatsanwalte could still be members of the SA at all.

Hence it appears to be necessary:

1. In the case in question to remove the confussion resultive from the measures indicated above, by suitable counter measures
2. To take steps that such occurrences altogether incompatible with the administration of criminal law and the public security guaranteed by the State, are avoided.

I would respectfully request your comments and information with regard to my action in this direction. Considering the importance of this case, I would be obliged it you would reply as early as possible.

Heil Hitler!

Signed: Dr. Gaertner.

3. to the Minister, confidential
4. 2 weeks.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 784 - PS

10 November 1945

I, Eve GLAZIER, P/O, W.R.N.S., 37371, hereby certify that I am thoroughly conversant with the English and German language; and that the above is a true and correct translation of Document No 784-PS.

Eve GLAZIER
P/O, W.R.N.S.,
37371

PARTIAL TRANSLATION OF DOCUMENT 785-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Z Stg 10 -- 9-35

Subject: Suit against Rudolf J#hnichen and others for Mistreatment of Inmates of the HOHNSTEIN Concentration Camp.

A further investigation which was ordered as well as a new verification of already known facts showed that the mistreatment of inmates which has lead to the sentencing of the accused were not carried out for any political purposes (to obtain a confession, to punish disciplinary infractions, etc.) on in response to previously suffered wrongs inflicted by Communists but were merely malicious torture or expressions of sadistic brutality.

A few cases of mistreatment occurred, however, where enemies of the State were involved. The Court in its sentence, however, considered that mistreatments in such cases to a certain extent were justified or at least understandable. But it expressly stated further that the mistreatments which occurred during interrogations had taken on proportions which were in no accord with the desired objective and that the defendants not only attempted to wring confessions from the inmates but that they acted in sheer lust for torture. (Compare Page 100 of the Sentence Document).

The overwhelming majority of Cases, however, over which sentences were pronounced, represent mistreatments which occurred when the inmates first entered the institution, when they received their prison clothing, or during drill hours. These mistreatments were carried out without rhyme or reason. The fact that the defendants in these cases were motivated neither by political purposes nor by personal revenge against outrages suffered formerly can be learned from the following circumstances.

1) Amongst the mistreated persons there were quite a number that never belonged to any parties of the left. Sons of them were even old members of the movement. The following cases are proof of that:

2) Case Prueger

On 6.3.1934 the Kreisleiter of the German Labor Front for the food industry, member of the Nazi Party, was brought in for offending the Kreisleiter and two other persons. When being brought in, Turke beat his face with his fist and subsequently, in a small room, he was heavily beaten with sticks, whips and other instruments.....

Page 5..... 2) The method as well as the detailed circumstances of mistreatment show that lust for torture was the only motivation in a great number of cases. The following case illustrates that fact especially well.

The defendant Schupp frequently had to supervise the drill of inmates. On 5 or 6 March 1935 he called the inmate Lindner out of formation without any apparent reason and asked him for his name and domicile. Then he pressed, without any cause, his burning cigarette upon the end of Lindner's nose with the result that the latter received a burn for which he later required medical treatment. The court in this case, as in several others, expressly maintains that Schupp only acted out of sheer lust of torture.....

Page 7..... Furthermore, may I state as far as the question of further mitigation of sentences are concerned that the Court in pronouncing sentence has already weighed to the fullest extent all possible mitigating circumstances. The awful consequences of cruel mistreatment of human beings should otherwise result in a far more severe judicial expiation. Also it must not be overlooked that altogether only those members of the concentration camp staff were brought into court who took an especially active and cruel part in the mistreatments. Furthermore, the sentence was not aggravated by the fact that the Court affirmed, for purely judicial reasons, that the defendants were officials and sentenced them for committing bodily harm while carrying out a public office. The sentence expressly states that the court did not stress the fact that the accused SA men were officials in determining the punishment because they had not received proper

H1100 - 0017

training as officials and they probably do not wish to be referred to as such. (Compare page 144 of the Sentence). In these circumstances the mitigation of sentences already granted in the decree of 31 October 1935 seem an extensive favor. If, nevertheless, I suggest subsequently a further reduction of sentence, based upon new evidence of some of the defendants, I can only justify my action because I believe that, according to circumstances, the defendants in one or the other case of mistreatment may have partly acted out of revolutionary motives.

As to what parts the individual defendants played in these criminal acts I refer to the last two columns in the table handed over with the report of 28 August 1935. The following statements as to the individual defendants may be made.

1. Jährichen:
Sentence: 6 years imprisonment.
Reduction of Sentence: to be released on probation after 4 years 6 months.

Jährichen is an old member of the S.A. who through his bad example has fostered the increase of excesses, but at first he was motivated undoubtedly by a certain revolutionary anger and by the fact that he wanted to maintain exemplary discipline amongst the inmates. A further mitigating fact is that his participation in the unusually serious mistreatment of the Jew Ambross, who later committed suicide, was inspired by the belief that he was dealing in this case with a despoiler of German girls. With these facts, being what they are, a further reduction in sentence, amounting to one year, seems justifiable.

2. Putzler
Sentence: 3 years 9 months imprisonment.
Reduction of Sentence: to be released on probation after 2 years 6 months.

His sentence is based essentially on the especially cruel mistreatments during questionings of inmates. Even though his acts in this connection seem to be pure vindictive torture, as for example the use of the dripping device, one may, nevertheless, say that at least at first he was motivated by the desire to obtain truthful statements.
On the other hand, Putzler participated in serious excesses also during times other than the questioning periods and played a leading part in them. To give an example, he tore out inmate Ricke's beard. A further reduction of the sentence by 6 months seems under these circumstances a far going favor.....

Page 16.....I want to remark, in conclusion, that the defendants as well as the defense, believe since 29.11.1935 that all defendants had been finally pardoned by the decision of the Führer and Reich Chancellor. It is further to be learned from remarks by defendants not in custody that in case of a complete pardon those still in custody would leave prison under the accompaniment of a band or would be solemnly received by a band on return to their home town.

Appendix

Upon application of the Reich Minister of Justice I hereby grant in the case against Rudolf Jährichen and others, for mistreatment of persons committed to protective custody in Hohnstein Concentration Camp (16. St. A. 3431 34 Dresden prosecutor) the following mitigation of sentences as enumerated in Column 6:

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#	Name	Sentence Prison Term Yrs.	Sentence Prison Term Mos.	Mitigation of Sentence granted thus far. To be released conditionally after Yrs.	Mitigation of Sentence granted thus far. To be released conditionally after Mos.	New Suggestion of the Reichs Minister of Justice, To be Released Conditionally after Yrs.	New Suggestion of the Reichs Minister of Justice, To be Released Conditionally after Mos.	Decision of The Führer and Chancelor
1	Jähnichen	6	-	4	6	3	6	
2	Putzler	3	9	3	-	2	6	
3	Hanz Meier	3	-	2	6	2	-	
4	Herbert Meier	3	3	2	6	No further reduct.		
5	Tuerke	3	-	2	6	No further reduct.		
6	Lehman	3	-	2	6	No further reduct.		
7	Leuschner	2	6	2	-	1	3	
8	Rohrkopf	2	6	2	-	No further reduct.		
10	Haensel	2	6	1	6	No further reduct.		
11	Karge	1	8	1	4	1	-	
[illegible]	Sikora	1	6	1	2	1	28 days	
[illegible]	Stachowski	1	6	No reduction		No reduction		
14	Schupp	1	6	1	2	No further reduct.		
15	Heinicker	1	6	1	2	-	9	
16	Hausch	1	4	-	8	-	6	
17	Kuehnel	1	-	-	9	-	6	
20	Schneling	1	-	-	9	No further reduct.		
21	Kahnis	1	-	-	9	No further reduct.		
22	Uhlemen	1	-	-	6	No further reduct.		
23	Stuerzkober	-	10	-	6	No further reduct.		

Berlin ..... December 1935
THE FUEHRER AND CHANCELLOR

* * * * * * * * * * *

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 785-PS

17 November 1945

I, Wolfgang E. Thormann, M/Sgt., 33779426, hereby certify that I am thoroughly conversant with the English and German languages: and thatthe above is a true and correct translation of the indicated excerpts from Document No. 785-PS.

WOLFGANG E. THORMANN
M/Sgt., 33779426

H1100 - 0020

TRANSLATION OF DOCUMENT 786-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Note

1). Just now, at 1030, State Secretary Dr. Meissner telephoned and asked me to deliver the following message to the Minister, whom he had been unable to contact:

Concerning the pardon of those sentenced in connection with the maltreatment in the Hohnstein Concentration Camp, Herr Bouhler informed him yesterday that he had reported to the Führer on the result of the fresh inquiries, which he and Reich Governor Mutschmann had instituted. The Führer has now decided to remit all other sentences remaining. State Secretary Meissner wished to inform the Ministry of Justice of this, so that it might be made the subject of corresponding decrees. He, State Secretary Meissner, mentioned that the Minister of Justice had likewise been commissioned by the Führer to carry out special inquiries, to determine in which cases the [illegible] for maltreatment had been sadistic and therefore a pardon would be out of place. The Minister of Justice would have to be given the opportunity of reporting to the Führer his ideas, based on his still inconclusive investigations. Herr Bouhler also stated that the Minister of Justice was still at liberty to do so. The Führer merely desired that his inquiries be hastened as much as possible so that the statement could be made within the next few weeks and that, in any case, he submit a decree granting full pardon.

State Secretary Meissner, when finally summing up, therefore requested that, should the Minister not approve of a total pardon, a double decree be submitted.

2). The Minister
for his favourable consideration.

Berlin, 29th November 1935

(Signature illegible)

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 786-PS

7 November 1945

I, ESME SHERRIFF, 2/O, W.R.N.S. 36482, certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 786-PS.

ESME SHERRIFF
2/O, W.R.N.S.
36482

H1100 - 0021

TRANSLATION OF DOCUMENT 787-PS
OFFICE OF US CHIEF OF COUNSEL

The Reich Ministry of Justice Berlin, 18 June, 1935
Z.F. g 10 390/35

1) Communication to the Fuehrer and Reich Chancellor with addition of a certified copy of Bl. 9-10 d.A., thus far

Subject: Motion of the Reich deputy in Saxony concerning the nolle-prossing of the criminal procedure against Oberregierungsrat Vogel in Dresden on account of bodily injury while in office.

- 16 St.A 107/34 (StA.Dresden) -

Inclosure: 1 loose sheet.

The prosecuting authority in Dresden has indicted Oberregierungsrat Erich Vogel in Dresden (case designation 16 STA. 4 107/34) on account of bodily injury while in office. The following subject matter is the basis of the process:

Vogel belongs to the Gestapo office of the province of Saxony since its foundation and is chief of Main section II, which formerly bore the title ZUB (Zentralstelle für Umsturzbekämpfung) (Central office for combatting overthrow). In the process of combatting efforts inimical to the State Vogel carried out several so called borderland actions in the year 1933 in which a large number of politically unreliable persons and persons who had become political prisoners in the border territorries were taken into protective custody (Schutzhaft) and brought to the Hohnstein protective custody camp. In the camp serious mistreatment of the prisoness has been going on at least since summer of 1933. The prisoners were not only, as in protective custody camp Bredow near Stettin, beaten into a state of unconsciousness for no reason with whips and other tools but were also tortured in other ways, as for instance with a drip-apparatus especially constructed for the purpose, under which the prisoners had to stand so long that they came away with serious purulent wounds of the scalp. The guilty SA-leaders and SA-men were sentenced to punishments of 6 years to 9 months of imprisonment by the main criminal court of the provincial court in Dresden of 15 May 1935 (16 StA.3431.34). Vogel, whose duties frequently brought him to the camp, took part in this mistreatment, insofar as it happened in the reception room of the camp during completion of the reception formalities, and in the issuing supply room, during of the blankets. In this respect it should be pointed out that Vogel was generally known to the personnel of the camp - exactly because of his function as head of the ZUB - and his conduct became at least partly a standard for the above-named conduct of the SA-leaders and men.

One of the border actions took place on 3 August 1933. Vogel had ordered the arrest of the persons who were brought to the camp at that time, and therefore also had responsibilities relative to their proper treatment. On account of the large number of those who were brought in, a pay office of the administration building in the lower castle yard was adapted as a makeshift reception room to help dispose of the formalities. The reception was being taken care of of by Truppführer (T/Sgt) Felix Sikora. He hit every incomming person without cause violently across the face with a steel ruler, so that it resounded loudly. In addition the prisoners, when brought in, were spoken roughly and at the same time beaten, partly even literally pushed into the room. Vogel stayed in the reception room

H1100 - 0022

a long time and watched these proceedings without doing anything about them. In his presence, for instance, the SA-man Hutze dealt such blows to one man, without provocation, that he turned around on himself. As already stated, Vogel not only took no steps against this treatment of the prisoners, but he even made jokes about it and stated that it amused him the way things were popping here.

In the supply room Vogel himself took a hand in the beating amid the general severe mistreatment. The SA men there employed whips and other articles and beat the prisoners in such a manner that serious injuries were produced, the prisoners partly became unconscious and had to lie in the dispensary a long time. Vogel was often present in the supply room during the mistreatment. At least in the following cases he personally laid violent hands upon prisoners.

a) On the occasion of the borderland action of 3 August 1933 Vogel was in the chamber in the rear portion of the area, where the prisoners as a rule do not enter. At first Vogel observed from there the severe mistreatment which was administered to the prisoners at the counter where the blankets were issued. Then he had a prisoner brought to the rear chamber and swung several blows of his fist at his head.

b) On 12 November 1933 Vogel arrived at the camp together with Regierungsrat Dr.Wolf from Leipzig and again entered the chamber. On this day several prisoners were brought in. Vogel pointed out one of the prisoners to the SA-men present in the room, among whom were Sturmmann Walter Rohrkopf, Truppführer Herbert Meier, and Truppführer Georg Lehmann, and declared, in effect, that this man "should get his ass particularly full". He also stated that the prisoner had offended or threatened one of his people. Upon this invitation the prisoner was laid across the counter in the usual manner, held fast by the head and arms, and then beaten for a considerable time by the SA men with whips and other articles. Along with this Vogel himself took part in the beating for a time, and after this mistreatment slapped him again, so that the prisoner appeared green and blue in the face. The prisoner is the tinsmith Hans Kühitz, who bore the nickname Johnny. Upon his departure Vogel gave the head of the supply room, Truppenführer Meier from 5 to 6 reichsmarks with the stated reason that the SA men "had sweated so". The money was then distributed by Meier to those SA-comrades who had taken part in the mistreatment.

Under the date of 20 May 1935 the Reich Deputy in Saxony forwarded to me with a recommendation Vogel's petition for nolle prossing dated 10 May, 1935, which was addressed to him, and a copy of which is attached.

I do not wish to approve this petition. The mistreatments which took place in the camp of Hohnstein are more numerous and in their fashion more serious than the cases of mistreatment in the well-known protective custody camp Bredow, near Stettin. As in the case of Bredow an authoritative official of the State Secret Police, in likewise manner as SS-Sturmführer Dr.Hoffmann, shot on 30 June, 1934, knowing of the mistreatment and for the most part instigating it himself, Oberregierungsrat Vogel, as an authoritative member of the supervisory agency of the camp for the State Secret Police of Saxony, knew of the mistreatment and to an extent even took part in it. By his actions he supported the convicted SA-leaders and men in their deeds and thereby bears the largest part of responsibility for the criminal acts committed there. It would not be righ

H1100 - 0023

to let this participant, who in view of his training, his position of leadership, and his office, must have recognized the objectionability of the proceedings in the camp with particular clarity, go unpunished while the SA-leaders and men received considerable sentences-even if not very severe in comparison with their deeds. A nolle possing of the case against Vogel would represent unearned granting of favors to a more highly placed participant, and therefore one endowed with more responsibility, and would be considered as such by all persons involved. It would stand instarkest insoluble contradiction to the treatment of the Stettin cases.

signed: Dr. Gürtner

2) To the Minister, respectfully

3) 1 month.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 787-PS

I WOLFGANG E. THORMANN M/SGT., 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document 787-PS.

WOLFGANG E. THORMANN
M/Sgt.
33779426.

H1100 - 0024

TRANSLATION OF DOCUMENT 788-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Secretary of the State
and Chief of the Office
of the President

Berlin W8, 9 Sept 1935
Voss-Strasse 1

RP 3152/35

Your Nr. Z.F.g 10 398/35 of 18 June 1935

Subject: Nolle-prosse of Criminal Proceedings against Oberregierungsrat V o g e l for committing bodily injury while in Office.

With reference to my letter of 25 June 1935 - RP 3152/35- I am able to inform you that the Fuehrer and Reichs-Chancellor has decided for annulment of the criminal proceedings against Oberregierungsrat V o g e l for his having committed bodily injury.

On the Fuehrer's behalf I request presentation of the draft of the decree for annulment.-

/s/ Dr. M e i s s n e r

To the Reich Minister of Justice, Berlin.

The Secretary of the State
and Chief of the Office
of the President.

Berlin W8, 25 June 1935
Voss-Strasse 1

RP 3/52/35

Your Nr. Z.F. g 10 398/35 of 18 June 1935

Subject: Nolle-Prosse of Criminal Proceedings against Oberregierungsrat V o g e l for committing bodily injury while in Office.

Before making a decision, the Fuehrer and Reich-Chancellor wants to discuss personally with the Reich-Governor of Saxony the complaints brought forward against Oberregierungsrat V o g e l and the events connected with them. Therefore I shall withhold further information and request that until then further action on this procedure be also withheld.-

/s/ Dr. M e i s s n e r.

To the
Reich Minister of Justice, Berlin W 8.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 788-PS

9 November 1945.

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated exerpt from Document Nr. 788-PS.

Goetz Mayer
T/5 33812169.

H1100 - 0025

TRANSLATION OF DOCUMENT 1388-A-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT I p. 479

LAW AGAINST THE NEW ESTABLISHMENT OF PARTIES

July 14, 1933

"Gesetz Gegen die Neubildung von Parteien"

vom 14 July 1933

The German Government has enacted the following law, which is herewith promulgated:

Art. 1

The National Socialist German Worker's Party (Nationalsozialistische Deutsche Arbeiterpartei) constitutes the only political party in Germay.

Art. 2

Whoever undertakes to maintain the organizational structure of another political party or to form a new political party will be punished with penal servitude up to three years or with imprisonment of from six months to three years, if the deed is not subject to a greater penalty according to other regulations.

Berlin, den 14 Juli, 1933.

The Reich Chancelor
Adolf Hitler

The Reich Minister of the Interior.
Frid

The Reich Minister of Justice.
Dr. Gürtner.

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1388-A-PS

15 Oct. 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1388-A-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-133 55 67

H1100 - 0026

TRANSLATION OF DOCUMENT 1395
Office of U.S. Chief of Counsel

1933 Reichsgesetzblatt Page 1016
1 Dec 1933

Law on securing the unity of Party and State
1 Dec. 1933.

Gesetz zur Gicherung der Ginheit von Partei und Staat, Vom 1 Dezember 1933.

The Reichs government has decided on the following law which is announced herewith:

Art 1

1) After the victory of the National Socialistic Revolution, the National Socialistic German Labor Party is the bearer of the concept of the German State and is inseperably the state.
2) It will be a part of the public law. Its organization will be determined by the Fuehrer.

Art 2.

The deputy of the Fuehrer and the Chief of Staff of the SA will become members of the Reichs government in order to insure close cooperation of the offices of the party and SA with the public authorities.

Art.3

The members of the National Socialistic German Labor Party and the SA(including their subordinate organizations.) as the leading and driving force of the National Socialist State will bear greater responsibility toward Fuehrer, people and state.
2) In case they violate these duties, they will be subject to special jurisdiction by party and state.
3) The Fuehrer may extend these regulations in order to include members of other organizations.

Art 4.

Every action or neglect on the part of members of the SA(including their subordinate organizations) attacking or endangering the existence, organization, activity or reputation of the National Socialistic German Labor Party, in particular any infraction against discipline and order, will be regarded as a violation of duty.

Art 5.

Custody and arrest may be inflicted in addition to the usual penalties.

Art 6.

The public authorities have to grant legal and administrative assistance to the offices of the Party and the SA which are entrusted with the execution of the jurisdiction of the Party and SA.

Art. 7

The law regarding the authority to inflict penalties on members of the SA and SS, of the 28 April 1933(RGBI p. 230) will be invalidated.

Art. 8

The Reichs Chancellor, as Fuehrer of the National Socialistic German Labor Party and as the supreme commander of SA will issue the regulation necessary for the execution and augmentation of this law, particularly with reppect to the organization and procedure

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TRANSLATION OF DOCUMENT 1395-PS
Office of U.S. Chief of Counsel
Cont'd.

of the jurisdiction of the Party and SA. He will determine the time at which the regulations concerning this jurisdiction will be effective.

Berlin 1 Dec. 1933

Reichs Chancellor

Adolf Hitler

The Reichs Minister of the Interior

Frick.

- -

5 October 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) USNR, 391590 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1395-PS.

WILLARD EVANS SKIDMORE
Lt(jg) USNR
391590,

H1100 - 0029

TRANSLATION OF DOCUMENT 1395
Office of U.S. Chief of Counsel

1933 Reichsgesetzblatt Page 1016
1 Dec 1933.

Law on securing the unity of Party and State
1 Dec. 1933.

Gesetz zur Gicherung der Ginheit von Partei und Staat, Vom 1 Dezember 1933.

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Art.3

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2) In case they violate these duties, they will be subject to special jurisdiction by party and state.
3) The Fuehrer may extend these regulations in order to include members of other organizations.

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Art 6.

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Art. 7

The law regarding the authority to inflict penalties on members of the SA and SS, of the 28 April 1933(RGBI p. 230) will be invalidated.

Art. 8

The Reichs Chancellor, as Fuehrer of the National Socialistic German Labor Party and as the supreme commander of SA will issue the regulation necessary for the execution and augmentation of this law, particularly with reppect to the organization and procedure

H1100 - 0030

of the jurisdiction of the Party and SA. He will determine the ti at which the regulations concerning this jurisdiction will be effective.

Berlin 1 Dec. 1933

Reichs Chancellor

Adolf Hitler

The Reichs Minister of the Interior

Frick.

- -

5 October 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) USNR, 391590 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1395-PS.

WILLARD EVANS SKIDMORE
Lt(jg) USNR
391590.

TRANSLATION OF DOCUMENT 1395
Office of U.S. Chief of Counsel

H1100 - 0031

1933 Reichsgesetzblatt Page 1016
1 Dec 1933

Law on securing the unity of Party and State
1 Dec. 1933.

Gesetz zur Gicherung der Ginheit von Partei und Staat, Vom 1 Dezember 1933.

The Reichs government has decided on the following law which is announced herewith:

Art 1

1) After the victory of the National Socialistic Revolution, the National Socialistic German Labor Party is the bearer of the concept of the German State and is inseperably the state.
2) It will be a part of the public law. Its organization will be determined by the Fuehrer.

Art 2.

The deputy of the Fuehrer and the Chief of Staff of the SA will become members of the Reichs government in order to insure close cooperation of the offices of the party and SA with the public authorities.

Art.3

The members of the National Socialistic German Labor Party and the SA(including their subordinate organizations.) as the leading and driving force of the National Socialist State will bear greater responsibility toward Fuehrer, people and state.
2) In case they violate these duties, they will be subject to special jurisdiction by party and state.
3) The Fuehrer may extend these regulations in order to include members of other organizations.

Art 4.

Every action or neglect on the part of members of the SA(including their subordinate organizations) attacking or endangering the existence, organization, activity or reputation of the National Socialistic German Labor Party, in particular any infraction against dissipline and order, will be regarded as a violation of duty.

Art 5.

Custody and arrest may be inflicted in addition to the usual penalties.

Art 6.

The public authorities have to grant legal and administrative assistance to the offices of the Party and the SA which are entrusted with the execution of the jurisdiction of the Party and SA.

Art. 7

The law regarding the authority to inflict penalties on members of the SA and SS, of the 28 April 1933(RGBI p. 230) will be invalidated.

Art. 8

The Reichs Chancellor, as Fuehrer of the National Socialistic German Labor Party and as the supreme commander of SA will issue the regulation necessary for the execution and augmentation of this law, particularly with reppect to the organization and procedure

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f the jurisdiction of the Party and SA. He will determine the ti[illegible] at which the regulations concerning this jurisdiction will be effective.

Berlin 1 Dec. 1933

Reichs Chancellor

Adolf Hitler

The Reichs Minister of the Interior

Frick.

- -

5 October 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) USNR, 391590 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1395-PS.

WILLARD EVANS SKIDMORE
Lt(jg) USNR
391590.

Document: 1397-PS

REICHSGESETZBLATT Page 175, Art 1-18. dated 7 April 1933.

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Gesetz zur Wiederherstellung des Berufsbeamtentums Vom 7. April 1933.

Law for the Reestablishment of the Professional Civil Service 7 April 1933.

The Reichsgovernment has enacted the following law, which is hereby proclaimed:

Art. 1.

1. For the reestablishment of a national professional civil service and for the simplification of administration, officials may be discharged from office according to the following regulations, even when the necessary conditions according to the appropriate law do not exist.
2. Officials, as used in this law, means immediate(unmittelbare) and mediate(mittlebare) officials of the Reich, immediate and mediate officials of the federal states(Länder), Officials of communes (Gemeinde) and communal associations, officials of public legal corporations as well as institutions and undertakings placed upon the same status as these public legal corporations(Third decree of the Reichspraesident for the safeguarding of business and finance of 6 October 1931RGBl. I P.537, 3rd part, Chapter V, Section I, Art. 15, subparagraph 1.) The stipulations apply also to employees of agencies supplying social insurance, who have the rights and duties of officials.
3. Officials as used in this law also includes officials in temporary retirement.
4. The Reichsbank and the German State Railway Co. are empowered to make corresponding regulations.

Art. 2.

1. Officials, who since 9 November 1918 have attained the status of officials without possessing the required or usual preparation or other qualifications are to be dismissed from service. Their former salaries will be accorded them for a period of 3 months after thier dismissal.
2. A right to waiting allowances, pensions, or survivors pension and to the continuance of the official designation, the title, the official uniform and the official insignia is not possessed by them.
3. In case of need a pension, revocable at any time, equivalent to a third of the usual base pay of the last position held by them may be granted them, especially when they are caring for dependant relatives; reinsurance according to the provisions of the Reich's social insurance law will not take place.
4. The stipulations of Section 2 and 3 will receive corresponding application in the case of persons of the type designated in Sect. 1, who already before this law became effective had been retired.

Art. 3.

1. Officials, who are of non-aryan descent, are to be retired, indofar as honorgry officials are concerned, they are to be removed from official status.
2. Section 1 is not in effect for officials who were already officials since 1 August 1914, or who fought during the World War at the front for the German Reichs or who fought for its allies or whose fathers or sons were killed in the World War. The Reichsminister of the Interior can permit further exceptions in understanding with the appropriate special minister or the highest authorities of the federal states in the case of officials abroad.

Art. 4.

Officials, whose former political activity does not offer a guarantee that they at all times without reservation act in the interest of the national state can be dismissed from service. For a period of 3 months after dismissal they are accorded their former salary. From this time on they recieve 3/4 of their pension and corresponding survivor's benefits.

Art. 5.

1. Every official must allow himself to be transferred to another office of the same or equilavent career, even into such a one having less rank or regular salary--reimbursement for the prescribed costs of transfer taking place, if the needs of the service require it. In case of transferment to an office of lower rank and regular salary the official retains his previous official title and the official income of his former position.
2. The official can, in place of transfer to an office of lesser rank and regular income (section 11) demand to be retired.

Art. 6.

For the simplification of administration officials can be retired, even if they are not yet unfit for service. If officials are retired for this reason, their places may not be filled again.

Art. 7.

1. Dismissal from office, transfer to another office and retirement will be ordered by the highest Reichs or federal state agency which will render final decision without right of appeal.
2. The dispositions according to Art 2 to 6 must be made known at the latest by 30 Sept 1933 to those affected. The time can be shortened by agreement with the Reichsminister of the Interior, if the appropriate Reichs or federal state agency declares that the measures authorized in this law have been carried out.

Art. 8.

A pension will not be granted to the officials dismissed or retired in accordance with Art 3 and 4, if they have not completed a term of service of at least 10 years; this applies also in the cases in which according to the existing stipulation a pension is already accorded after a shorter term of service. Articles 36, 47 and 49 of the Reichs officials' law, the law of 4 July 1921 on increased computation of time in service accomplished during the war (RGBl p. 825) and the corresponding provisions of federal state laws remained unchanged.

Art. 9

1. In the calcuation of length of service valid for pension purposes, excepting time of service accrued in their last employment, only a term served in the Reichs, Federal State, or communal service according to the existing regulations may be credited to officials dismissed or retired according to Articles 3 and 4. Also accrediting of this length of service is only permissible, if it bears some relationship in preparation or career to the position last held; such a relationship of lower career to a higher one is to be regarded as an orderly promotion. If the official would have obtained a higher pension by the addition of later years of service to time served in an earlier position regularly obtained by qualifications and preparation, the ruling more favorable to him takes precedence.
2. The implementative regulations govern the calculation of time served with public corporations and with institutions and undertakings placed upon the same basis as these public corporations.
3. Accreditation and certification of time served valid for pension purposes, which conflict with the carrying out of the provisions of Section 1, are nullified.
4. In the case of officials of the Reich and of public corporations, institutions, and agencies under the supervision of the Reich, the Reichsminister of the interior in agreement with the Reichsminister of finances can mitigate hardships; the highest federal state authorities can do the same in the case of other officials.
5. Sections 1 to 4 as well as Articl 8 will also be applied to such officials who already, before this law came into effect, were retired either permanently or temporarily and upon whom Articles 2 to 4 would have been applied if the officials had been still in service at the time this law came into effect. The new accrediting of time of service valid in the calculation of pensions and the accrediting of pensions and of waiting allowances must, at the latest, take place on 30 Sept 1933 with effect as of 1 Oct 1933.

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Art 10

1. Guiding principles, which are established for the amount of pay for officials will be based upon the calculation of service remunerations and pension. In case decissions by the competent authorities on the applying of the guiding principles do not yet exist, they are to be issued without delay.
2. After decisions by the competent authorities concerning the application of the guiding principle have been made, if officials are found to have recieved higher remunerations, than they are due them according to the decisions, they they have to reimburse the surplus amounts recieved since 1 April 1932 at the pay office where the payments were given out. The argument of no longer existing enrichment(Articles 812vBGB and subs) is excluded.
3. Sub sections 1 and 2 are valid also for persons, who have been retired inside of one year before this law became effective.

Art 11.

1. If, in the accrediting of pay-seniority of officials who leave the service on account of Articles 3 and 4, employment outside of the Reichs, Federal State, or communal service has been calculated, then the pay-seniority is to be newly calculated, Therein only an employment in the Reichs, Federal State, or communal service, or according to the implementative regulations, in the service of public corporations and institutions and undertakings equivalent to the former may be accredited. Exceptions can be permitted by the Reichsminister of the Interior in agreement with the Reichsminister of finance for Reichs officials; for other officials, by the highest federal state authorities
2. If a new accrediting of pay-seniority according to Section 1 comes into consideration, then in the case of officials retired or dismissed according to Articles 3 and 4, the new determination of pay seniority will be carried out in conjunction with the determination of the pension amount.
3. The same is valid for the persons named in Article 9, Section 5.

Art. 12.

1. The salaries of Reichsministers appointed since 9 Nov 1918, which are not calculated according to the provisions of Articles 16 to 24 of the Reichsminister law of 27 March 1930(RGBl. I P.96) are to be newly calculated. In the new calculation, the abovementioned provisions of the Reichsminister law are to be applied as if they had been already in effect at the time of the Reichsminister's dismissal from office. According to this law, excess payments recieved since 1 April 1933 are to be payed back. The argument of no longer existing enrichment (Article 812 and subs BGB) is inadmissible.
2. Section 1 will receive application upon the members of the federal state government appointed since 9 Nov 1918 with the provision that in place of the Reichsminister law the corresponding provisions of the federal state law ill be in effect; however, payments may only be made to the amount which results from the application of the fundimental principals of Articles 16 to 24 of the Reichsminister law.
3. The new calculatinn of payments must take place before 31 December 1933.
4. Retroactive payments will not take place.

Art. 13.

The survivors payments will be calculated with corresponding application of Articles 8 to 12.

Art 14.

1. Against the officials who have been dismissed or transferred upon the authority of this law, the institution of civil service punishment proceedings on account of misdeameanors committed while in office with the object of cancellation of pension, survivors benefits, designation of office, title, official uniform and insigna.

The institution of the proceedings must take place on 31 December 1933 at the latest.
2. Section 1 is also valid for persons who within one year of the date that this law becomes effective have been retired and upon whom the Articles 2 to 4 would have been applied, it these persons had still been in service when this law came into effect.

Art 15.

The provisions concerning officials will be applied in an appropriate manner to employeese and workers. The implementative regulations govern detailed application .

Art. 16

If unreasonable hardships occur in the carrying out of this law, then higher payments or transition money may be granted in accordance with the general regulations. The decisions in this matter will be made by the Reichsminister of the Interior in agreement with the Reichsminister of Finance in the case of Reichsofficials, in other cases by the highest federal state authorities.

Art. 17

1. The Reichsminister of the interior will issue in agreement with the Reichsminister of Finance, the necessary regulations for the execution and carrying through of this law and the general administrative provisions.
2. If necessary the highest federal state authorities will issue supplementary regulations. In this matter they must confine themselves to the framework of the Reichs regulations.

Art. 18

With the expiration of the periods established in this law, the general provisions valid for the professional civil service will be again completely valid, without prejudice to the measures taken on the basis of this law.

Berlin, 7 April 1933

The Reichschancellor
Adolf Hitler

The Reichsminister of the Interior
Frick

The Reichsminister of Finance
Count Schwerin Von Krosigk

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 1397-PS

I, Willard Evans Skidmore, Lt(jg)USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document Number 1397-PS.

WILLARD EVANS SKIDMORE
LT(jg) USNR
391590

H1100 - 0036

TRANSLATION OF DOCUMENT 1398-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 518

Law to Supplement the Law for the Restoration
of the Professional Civil Service
of 20 July 1933

Gesetz zur Ergänzung des Gesetzes zur Wiederherstellung des Berufsbeamtentums
vom 20. Juli 1933

The Reich government has enacted the following law, which is hereby promulgated:

The Law for the Restoration of Civil Service from 7 April 1933 (RGBl I, page 175) is supplemented as follows:

1. The following is added to Article 2:

Article 2a

1) Officials, who have belonged to the communist party or to communistic auxiliary or collateral organizations, or otherwise have been active in furthering the aims of Communism, are to be discharged. Discharge is not necessary for (a) officials, who before 30 January 1933 joined a party or an organization, which has placed itself behind the government of the national revolution, and (b) officials, who have distinguished themselves exceptionally in the national movement.

2) Officials, who in the future are active for Marxism (Communism or Social-Democracy) are to be discharged.

3) The following are the bases on which officials are discharged: Sect. 1, - Sect. 2,- Art. 2, Sect. 1, sentence 2 - Sects. 2 and 3.

Berchtesgaden, 20 July 1933

The Reich Chancellor
Adolf Hitler
For the Minister of the Interior:
The Reich Minister of Finance
Count Schwerin von Krosigk
The Reich Minister of Finance
Count Schwerin von Krosigk

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1398-PS

4 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1398-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1100 - 0037

TRANSLATION OF EXTRACT OF
DOCUMENT 1400-PS.
Office of U.S. Chief of Counsel.

H1100 - 0038

1933 REICHSGESETZBLATT I p.433

LAW CHANGING THE REGULATIONS IN REGARD TO PUBLIC OFFICERS. JUNE 30, 1933
(Gesetz zur Änderung von Vorschriften auf dem Gebiete des allgemeiner Beamten-des Besoldungs-und der Versorgungsrechts)
Vom 30. June, 1933

Chapter 2

Articlen 1a

1) Only such persons may be appointed Reich officials who possess for their career the prescribed education or customary training or who have special qualifications for the office about to be given, and who guarantee that they will support the Reich at all times without reservation.

2) Women may only be appointed Reich officials for life when they have completed the 35th year.

3) Anyone of non-Aryan descent, or married to a person of non-Aryan descent, may not be appointed a Reich official. Reich officials of Aryan descent who marry a person of non-Aryan descent are to be discharged. The question of who is of non-Aryan descent, is to be decided by regulations decreed by the Reich Minister of the Interior.

4) If urgent requirements of the administration so necessitate, the highest Reich officials may make exceptions in individual cases--exceptions from the provisions of (2) with the approval of the Reich Minister of Finance, exceptions from the provisions of (3) with the approval of the Reich Minister of the Interior.

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Articlen 6

1) The provisions are also to be applied to the civil service regulations of the states, local communities, and of the other bodies, institutions, and foundations of public law.....

2) The German State Railways, the Reichsbank, the public-legal religious societies, and the confederations are empowered to issue similar regulations.

Chapter 3

Article 7

2) When the economic status of a female official appears to be permanently secured because of a family income, the officials.... may order a dismissal. The conditions for dismissal are always present when the husband is a permanent official not subject to dismissal.

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Chapter 8

Article 40

1) The states and the bodies of public law not supervised by the states are empowered and compelled to lower the incomes of their officials insofar as they are higher than the incomes

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TRANSLATION OF EXTRACT OF DOCUMENT
NO. 1400-PS (Contd.)

of Reich officials of equal rank. The Reich ministers and the Reich chancellor are to be considered as Reich officials within the scope of this chapter. Sentence 1 is not applicable to university teachers; for them the special rules of Section 44 apply. Similarly, the Reich Government or the state governments may make different rules in other cases in which the scholarly or artistic significance of an office requires a special evaluation.

2) The local communues, and the other bodies of public law which are under the supervision of the state officials are empowered and obligated to reduce the salaries of their officials, insofar as they are higher than the salaries of state officials, of corresponding rank.

Article 44

1) The state governments are empowered to alter or annul the assurances given to university professors before this chapter became effective. They are not bound hereby to agreements, compromises, legal judgments or arbitration decisions.

Chapter 13

Article 77

1) Insofar as the execution of the provisions of this law requires it, deviations from the Reich constitution and from the state constitutions are permissible.

Berlin, 30 June 1933

The Reichschancelor
Adolf Hitler

The Reichsminister for Finance
Graf Schwerin von Krosigk

The Reichsminister of the Interior
Frick.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1400-PS

16 Oct. 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of extract of Document No. 1400-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-133 55 67

TRANSLATION OF DOCUMENT 1653-PS
OFFICE OF U S CHIEF OF COUNSEL

H1100 - 0040

1934 REICHSGESETZBLATT, PART I, PAGE 81

First Regulation concerning the New Building of the Reich
of 2 February 1934

Erste Verordnung über den Neuaufbau des Reichs
vom 2. Februar 1934

Under the authority of Article 5 of the law on the Reconstruction of the Reich from 30 January 1934 (Reichsgesetzblatt I, page 75), the following decree is published herewith:

Article 1

To exercise sovereign rights - a function which was transferred from the provinces onto the Reich - shall be a function exercised by the provincial governments as a mandate and on behalf of the Reich; since the Reich shall not make use of its right to exercise this function, either generally or in individual cases.

Article 2

Treaties or agreements in the realm of administration which the provinces may have concluded among each other or with the Reich shall not be affected by this transfer of the sovereign rights from the provinces onto the Reich.

Article 3

1) Laws need the assent of the competent Minister of the Reich.

2) In his own domaine the competent Minister of the Reich may order that the drafts of laws be submitted to him before the law is published.

Article 4

The highest echelons of the provincial governments shall, within the realm of their tasks, obey the orders issued by the competent Ministers of the Reich.

Article 5

Employees of the provincial governments may be transferred into the Reich's civil service, and employees of the government of the Reich may be transferred into the civil service of the provinces.

Article 6

This decree became valid on 30 January 1934.

Berlin 2 February 1934

The Minister of the Interior
FRICK

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1653-PS

1 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1653-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1100 - 0041

TRANSLATION OF DOCUMENT 1725-PS
OFFICE OF U S CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART I, PAGE 502

Ordinance on Enforcement of the Law for Securing the Unity of Party and State of 29 March 1935

Verordnung zur Durchführung des Gosetzes zur Sicherung der Einheit von Partei und Staat vom 29. März 1935

By virtue of the law for securing the unity of Party and State of 1 December 1933 (RGBl I, 1016) I order:

A R T I C L E 1.

1) The NSDAP and the Hitler Youth Movement, Inc. are to be expunged in the corporation register. The property of these corporations has without liquidation become the property of the NSDAP as a corporation of public law.

2) The land deeds and other public records are to be corrected free of charge on request.

3) Until the decree of the statute of the NSDAP (Article 1, Section 2 of the Law for Securing the Unity of Party and State of 1 December 1933), the previous statute of the National Socialist German Workers' Corporation, Inc., is applicable in this sense to the NSDAP as a corporation of public law.

A R T I C L E 2.

The SA,
The SS,
The National Socialist Driver Corps (Kraftfahrkorps).
The Hitler Youth (including the Jungvolk, the League of German Girls and Jungmädel).
The National Socialist German Student League,
The National Socialist German Women's Auxiliary (Frauenschaft),
are components of the party.

A R T I C L E 3.

The National Socialist League of German Physicians, Inc.,
The League of National Socialist German Jurists, Inc.,
The National Socialist Teachers' League, Inc.,
The National Socialist People's Welfare, Inc.,
The National Socialist War Veterans' Administration, Incl,
The Reich League of German Officials, Inc.,
The National Socialist League of German Technologists,
The German Labor Front (including the National Socialist foundation "Kraft durch Freude")
are the organizations affiliated to the NSDAP.

A R T I C L E 4.

1) The components of the NSDAP possess no legal character of their own and no property of their own.

2) The NSDAP forms with its components as a corporation of public law, a unit for the domain of the entire organization, with reference to property rights. Therefore the entire corporation is exclusively obligated and justified as to property rights.

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3) The Reich Treasurer of the NSDAP is the Plenipotentiary of the Fuehrer in all legal matters relating to property of the NSDAP. The Plenipotentiary rights include the right to assign sub-powers of attorney generally or for individual matters.

ARTICLE 5.

1) The affiliated organizations can possess their own legal character.

2) The affiliated organizations are subject to the financial supervision of the Reich Treasurer of the NSDAP.

3) The other legally determined supervisory rights are not touched by the financial supervision of the Reich Treasurer of the NSDAP.

ARTICLE 6.

All authorities have to assist the Reich Treasurer of the NSDAP and his agent in the fulfillment of his duties and to conform with the requests of the Reich Treasurer of the NSDAP, which go to them on the basis of this order.

ARTICLE 7.

1) The first enforcement order of 23 March 1934 (Voelkischer Beobachter, Munich edition No. 86 of 27 March 1934 and Berlin edition No. 87 of 28 March 1934) on the law for securing unity of party and state dated 1 December 1933 is abrogated.

2) Likewise all previous orders and regulations contrary to the above enforcement order on the law for securing unity of party and state of 1 December 1933 are abrogated.

ARTICLE 8.

1) The Deputy of the Fuehrer issues terms for enforcement and supplementing Articles 2 and 3 of this order. The Reich Treasurer of the NSDAP issues the remaining terms for execution of this order.

2) This law takes effect on the day following its announcement.

Berlin, 29 March 1935

The Fuehrer and Reich Chancellor
Adolf Hitler
The Deputy of the Fuehrer
R. Hess
Reich Minister without Portfolio

The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 1725-PS

19 October 1945

I, FRED NIEBERGALL, 2nd Lt. Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 1725-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1100 - 0043

TRANSLATION OF DOCUMENT 1553-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Excerpts from Various Pages of Organisation Book of the NSDAP (Organisationsbuch der NSDAP) 1943 edition, Editor (Herausgeber) the Reich Organization Leader of the NSDAP (Dr. Robert Ley), Published by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich.

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Page 6 a.

3. Resignations.

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Authorized to decree dismissal on the basis of a lawful decision of a party court are:

(a) The Local Chapter Directors (Ortsgruppenleiter).
(b) The County Directors (Kreisleiter).
(c) The District Directors (Gauleiter).
(d) The Fuehrer.

Page 7.

6. DUTIES OF THE PARTY MEMBERS.

The commandments of the National Socialists:
The Fuehrer is always right.
. . . . . .
The program be your dogma:
It demands your utter devotion to the movement!
. . . . . .
Right is, what serves the movement and thus Germany which means the Nation.
. . . . . .

Page 13.

The Aims of the Party are Only Ideological Ones.

It must be attempted to transfer all professional duties which, during the reconstruction in connection with the rebuilding of the Reich, are still being executed by the Party, to the affiliated organizations or, if possible, to the State administration in due time. If necessary, and if possible, directives to this effect will be issued by the competent officers of the Reich Directorate (Reichsleitung).

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Page 13 Cont'd.:

The party as an instrument of ideological education, must grow to be the Leader Corps (Fuehrerkorps) of the German nation.

This Leader Corps is responsible for the complete penetration of the German Nation with the National Socialist spirit and to overcome the dependence on the international influences in which the nation is still partly rooted.

It will further be the duty of this Fuehrerkorps to see that the professional and general duties within the affiliated organizations and within the State administration will be handled according to National Socialist directives.

Page 14.

The Political Director (Der Politische Leiter).

The basis of the Party organization is the Fuehrer thought. The public is unable to rule itself either directly or indirectly. The man best suited for the job will be a Fuehrer. He will be carried by the confidence of the people. All Political Directors (Politischen Leiter) stand as appointed by the Fuehrer and are responsible to him. They possess full authority towards the lower echelons. In choosing the Political Director the main consideration will be to put the right man in the right place . . . . . In principle this is to be noted: Only a man who has absorbed the school of subordinate functions within the Party has a claim to the higher Fuehrer offices if he should be otherwise suited. We can only use Fuehrers who have served from the ground up. Any Political Director who does not conform to these principles is to be dismissed or to be sent back to the lower offices, as Blockleiter, Zellenleiter, for further training.

Each Political Director must be conscious always, as a Political Fuehrer, that leadership does not only confer greater powers, but first and foremost higher duties. . . . .

Page 15.

The Type of the Political Director (Politischenleiter).

All this shows the character of the Political Director. The Political Director is not an office worker but the Political Deputy of the Fuehrer . . . . . With the

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Page 15 Cont'd.:

Political Director we are building the political leadership of the State . . . . . The type of the Political Director is not characterized by the office which he represents. There is no such thing as a Political Director of the NSBO, etc., but there is only the POLITICAL DIRECTOR OF THE NSDAP.

Page 16.

The Oath of the Political Director.

The Political Director is sworn in yearly. The oath is worded as follows:

> "I pledge eternal allegiance to Adolf Hitler. I pledge unconditional obedience to him and the Fuehrers appointed by him."

The Political Director is inseparably tied to the ideology and the organization of the NSDAP. His oath only ends with his death or with his expulsion from the National Socialist community.

Page 17.

The Protection of the Honor of the Political Director.

The leading personalities of State and Party are protected against vicious attacks upon State and Party. (See Section 6).

This law primarily protects leading Party members from District Directors (Gauleiter) on up.

Should, however, a situation exist which is liable to degrade the Party and its institutions (for instance, an allegation of embezzlement by a Kreisleiter in which matter nothing was being done which would mean, in other words, that bad conditions were tolerated) the prosecution may be directed by authority of paragraph 1 of the law.

In case of attacks which are liable to degrade the Party and its officers prosecution may be requested through the competent State prosecutor after consultation with the proper law office of the Party.

Page 19.

The Appointment of Political Directors (Politischeleiter).

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Page 19 Cont'd.:

1. The Fuehrer appoints the following Political Directors:

(a) Reichsleiter and all Political Directors to include the Directors of the Womens Leagues within the Reich Directorate (Reichsleitung).

(b) Gauleiters to include the Directors of an office of the Gau Directorate, as well as the Directors of the Womens Leagues of the Gau.

(c) Kreisleiters.

Their appointment will be published in the official paper (Verordnungsblatt).

2. The Gauleiter appoints:

(a) The Political Directors and the Directors of the Womens Leagues within the Gau Directorate, and the Directors of the Main Offices up to Associate Directors (mitarbeiter).

(b) The Political Directors and the Directors of the Womens Leagues in the Kreis Directorate.

(c) The local Chapter Directors (Ortsgruppenleiter).

3. The Kreisleiter appoints: The Political Directors and the Directors of the Womens Leagues of the Local Chapter (Ortsgruppen) to include Block and Cell Directors and Block Helpers, as well as the Political Directors in the factories (inasmuch as they are Party members). All Political Directors and Directors of the Womens Leagues will be issued an identify card.

Page 24.

. . . . . .

All political directors irrespective of the local chapter, the county, or the district in which they may be in office will wear a uniform office suit.

All political directors irrespective in what party offices they execute their duties be it in the political directorate, the administration, the party courts, the affiliated associations or in the factories, will wear a uniform office suit.

Page 49.

MEETINGS OF MEMBERS AND PUBLIC MEETINGS

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The bearers of sovereignty of the party are responsible for the membership meetings planned by all party offices and affiliated associations. They will be approved:

1. By the local chapter director if they do not go beyond the local chapter in their importance.

2. By the county directors if they do not go beyond the county in their importance.

3. The district directors if they have a general political significance for the district.

The meetings will be conducted along the lines laid down by the local organization and propaganda offices.

. . . . . .

Page 50.

CELL EVENINGS OF THE NSDAP

1. Time of meetings:

Cell evenings of the NSDAP will be held once a month.

2. Conduct of the Cell Evenings:

The cell evenings of the Party will be conducted by the cell director of the NSDAP. If no suitable cell director is on hand--either because of his short time in office or insufficient indoctrination--the meeting will be in the hands of the local Chapter Director of the NSDAP.

3. Participants:

(a) Participation at a cell evening is compulsory for:

All political directors of the cell:
Block leaders and block helpers, cell foremen and block foremen living within the cell zone.
Factory cell and factory block foremen of the German Labor Front (DAF) and their co-workers;
NSV cell and block managers:
Cell and block leaders of the womens league and the co-workers of the NSV and NSF whose domicile is within the Cell Zone.

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All Party members within the cell;
All members of organizations of the NSDAP.

. . . . . .

5. Program of the Cell Evenings. (During War Time):

Following are the rules for the program of a cell evening:

(a) . . . . . .

(b) Lecture (not over 30 minutes) based on the directives issued by the Reich Directorate for Propaganda of the NSDAP.

. . . . . .

Page 50A-51:

LEADER CONFERENCES--TIME OF MEETINGS

1. Leader conferences in the local chapter zone.

(a) Local chapter directors and office chiefs, cell directors and block directors possibly in the presence of cell and block foremen, as well as cell and block managers and cell and block directors of the Womens League, as well as the local leaders of the organizations and possibly the deputies of the Kreis offices (health, education, civil servants, county policy, etc.).

Once a month.

(b) Cell directors with block directors and cell foremen, cell managers and cell directors of the Womens League.

Once a month.

(c) Block directors with block foremen, block managers, block leaders of the womens league and block helpers.

Once a month.

(d) All officers of the local chapter are also to participate in:

1. The official formation within the region of the local chapter (may be combined with leader conference (a)).

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Page 50A-51 Cont'd.:

2. Official formations of the county.

Every three months.

3. The District Day. (Gautag).

One every 3 years.

4. The County Day. (Kreistag).

If coinciding with District Day, County Day will be cancelled.

Once a year.

(e) Participation in schooling:

1. Participants: The political directors, foremen, managers, advisers, directors of the Women's League, etc.

. . . . . .

Once a month.

(f) Participation in education.

The political directors of the local chapter; in the evenings or Sunday mornings, sport to be conducted concurrently. (For further details see AVI').

Twice a month.

. . . . . .

2. Leader conferences in the county (Kreis):

(a) County director and his staff every 8 to 14 days.

(b) If possible the county director is to arrange for a week end course of 1½ to 2 days duration. (Possibly at a county school) (Kreisschule), with the participation of the directors of the county offices and local chapter directors.

One every 3 mos.

PURPOSE: To hear fundamental lectures, to gather socially in the presence of the bearer of sovereignty, to get to know each other, to overcome difficulties

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Page 50A-51 Cont'd.:

of personal and professional nature by a mutual exchange of thought.

In counties having a large number of local chapters these courses can be divided. Participation in these conventions is compulsory and official duties are not constituted an excuse under any circumstances.

. . . . . .

(d) The bearers of sovereignty will meet at least once a month with the leaders of the SA, SS, NSKK, HJ, as well as the RAD, and NSFK, in as far as they are located within their sector for mutual orientation.

3. Leader conferences in the District:

(a) District leaders (Qualeiter) with his staff every 8 to 14 days.

(b) It is further absolutely necessary that the directors of the GAU offices will meet with the county directors of their district once every three months for a three day convention (possibly at a district schooling castle) where they will have an opportunity to overcome difficulties of personal and professional nature, apart from hearing fundamental lectures, by social gatherings in the presence of the bearer of the sovereignty, by getting to know each other and by a mutual exchange of ideas. Participation in these conferences is compulsory and duty would not constitute an excuse under any circumstanees.

(c) The arrangement of social meeting in the presence of leaders of the organizations of RAD and NSFK of the respective zone of sovereignty. In the course of these meetings differences of opinions may be straightened out in d iscussions.

(d) The bearer of sovereignty will meet at least once a month with the leaders of the SA, SS, NSKK, HJ, as well a s the RAD and the NSFK who are within the zone for the purpose of mutual orientation.

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Bearers of Sovereignty - (Hoheitstraeger).
Sectors of Sovereignty - (Hoheitsgebiete).

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Among the Political Directors (Politischeleiter) the Bearers of Sovereignty assume a special position. Contrary to the other Political Directors who have departmental missions and serve as advisers to the Bearers of Sovereignty, the Bearers of Sovereignty themselves are in charge of a geographical sector known as the Sector of Sovereignty (Hoheitsgebiete).

Bearers of Sovereignty are:

The Fuehrer.
The District Directors (Gauleiter).
The County Directors (Kreisleiter).
The Local Chapter Directors (Ortsgruppenleiter).
The Cell Directors (Zellenleiter).
The Block Directors (Blockleiter).
The Sectors of Sovereignty are:
The Reich.
The District.
The County.
The Local Chapter.
The Cell.
The Block.

Within their Sector of Sovereignty the Bearers of Sovereignty have sovereign political rights. They represent the Party within their Sector, internally and externally, and they are responsible for the entire political situation within their Sector. The Bearers of Sovereignty supervise all Party officers within their jurisdiction and they are responsible for the maintenance of discipline within their sector. On the other hand, the Directors of the Offices, etc., and of the affiliated organizations are responsible to their respective Bearers of Sovereignty as regards their specific missions apart from their responsibility towards their departmental superiors. The Bearers of Sovereignty are superior to all Political Directors, Managers, etc., within their sector. As regards personal considerations Bearers of Sovereignty, from a Local Chapter Director (Ortsgruppenleiter) on up are endowed with special rights. They may, within the provisions of their general directives regarding personnel authorizations, appointments, leaves, and the dismissal of Political Directors, execute the judgments of the Party law courts which have jurisdiction within their Sector of Sovereignty.

The Bearers of Sovereignty of the Party are not to be administrative officials for a certain sector but are to move in a continuous vital contact with the Political Directors and the population within their sector. The Bearers of Sovereignty are responsible for the proper and good supervision of all members of the nation within their sector. The supervision within a Local Chapter (Ortsgruppe) of the NSDAP should, if possible, not be

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conducted through its business office but through the Blocks and Cells and by the Directors of those units. Through the arrangement of regular interview hours everyone should be given the opportunity to contact his Bearer of Sovereignty.

. . . . The Party intends to achieve a state of affairs in which the individual German will find his way to the Party not only in cases of emergency but where the Party, upon its own initiative, as desired by the Fuehrer, will currently supervise and care for all members of the nation.

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POLITICAL LEADERS AND THE SA

The political leaders conduct the practical political work and care for the German nation.

The SA is the instrument of training and education through the Party. The parallel organizations, SS and NSKK, are charged with maintaining physical fitness and soldierly spirit within their organizations and with the possibility of commitment as an inner political troop.

. . . . . .

Smooth cooperation in the service of the Movement and the avoidance of all petty jealousies is the absolute duty of both parties.

. . . . . .

Mutual Leader Conferences.

To emphasize unity and to promote it, the following principles will apply:

Hoheitstrager (bearers of sovereignty), gauleiters, kreisleiters, etc., will meet at least once a month with the leaders of the SA, SS, NSKK, and HJ, as well as RAD and NSFK, as found within their zone for the purpose of mutual orientation.

More than that, it is desirable to invite the SA leader to other political Fuehrer talks and the political leader to the SA Fuehrer talks.

. . . . . .

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The Hoheitstrager is responsible for the entire political appearance of the Movement within his zone. The SA leader of that zone is tied to the directives of the Hoheitstrager in that respect.

Requisitioning the SA.

The Hoheitstrager is the ranking representative of the Party to include all organizations within his zone. He may requisition the SA located within his zone from the respective SA leader if they are needed for the execution of a political mission. The Hoheitstrager will then assign the mission to the SA.

. . . . . .

Should the Hoheitstrager need more SA for the execution of a political mission than is locally available, he then applies to the next higher office of sovereignty which, in turn, requests the SA from the SA office in his sector.

. . . . . .

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POLITICAL LEADERS AND THE SS

The directives laid down with regard to the relationship to the SA are similarly applicable to the SS.

. . . . . .

POLITICAL LEADERS AND THE NSKK

The directives laid down with regard to the relationship to the SA are similarly applicable to the NSKK.

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POLITICAL LEADERS AND THE HJ

The directives laid down with regard to the relationship to the SA are similarly applicable to the HJ.

In appointing leaders of the HJ and the DJ, the office of the HJ must procure the approval of the Hoheitstrager of his zone. This means that the Hoheitstrager can prevent the appointment of leaders unsuited for the leadership of youth. If his approval has not been procured, an appointment may be cancelled if he so requests.

. . . . . .

The political leader has the right to requisition the HJ, in the same manner as the SA, for the execution of a political action.

. . . . . .

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THE POLITICAL LEADERS AND THE NS AVIATION CORPS (NSFK)

General Collaboration.

The ranking unit leader of the NSFK within the zone will be consulted during the general leader conferences by the Hoheitstrager of the NSDAP. Similarly, the Hoheitstrager or his deputy will be invited to general leader conferences and other meetings of the NSFK.

. . . . . .

THE POLITICAL LEADER AND THE REICH LABOR SERVICE

General Collaboration.

Although the Reich Labor Service is no longer an organization within the NSDAP - on the basis of the Labor Duty Law of 26 June 1935 - the connection of this service with the Party is demonstrated by the appointment of the Reich Labor Leader to be Reichsleiter of the NSDAP.

To emphasize this union, the leaders of the Reich Labor Service within the zone will participate in the monthly leader conferences of the Hoheitstrager. More than that, it is desirable that the Reich Labor Leader will be invited to other political Fuehrer talks and, vice versa, the political leader to meetings of the Reich Labor Service.

THE POLITICAL LEADER AND THE STATE

To achieve unity of Party and State, the Chief of the Party Chancellery has been given the powers of a Reich Minister. In fundamental questions, the official channels of all Party offices and organizations of the NSDAP with the ministries and other State authorities and, in the opposite direction, of all State offices with organizations of the Party go through the Party Chancellery. This method will assure unified procedure of the Party towards the State.

The Chief of the Party Chancellery must be heard prior to the appointment of any higher civil servant; he will indicate the judgment of the Party towards the person of the proposed civil servant. To make sure of agreement between the municipal administration and the Party, the deputy of the NSDAP will have a decisive voice in the appointment and dismissal of the mayor, the aldermen, and the municipal councillors, and furthermore, in the following decisions of the mayor:

1. The decree of principal directives.

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2. The bestowal of honorary citizen rights and honorary titles.

The Chief of the Party Chancellery appoints the deputy of the NSDAP. On the basis of his directives, the gauleiter appoints the deputies as follows: for town and country districts, the kreisleiter. If this official happens to be an employee of a municipality or of an inspectorate, a gauinspector will be appointed. In special cases, the gauleiter may appoint himself as deputy.

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Membership in Affiliated Organizations.

The tasks of the affiliated organizations are laid down by the chief offices of the Party which have jurisdiction in the zone of those organizations.

. . . . . .

Only those organizations may claim to uphold the Fuehrer principle and the form of National Socialist organization and thus be recognized as promoting the continuation of State and people in the National Socialist sense who have found, and will find in the future, structure, supervision, and general character through the Party.

All others, living an existence of their own, are to be turned away as outsiders and must either change or disappear from public life.

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BLOCK OF THE NSDAP

A. BLOCKLEITER

1. Regional Sector.

The household: The household is the basic community upon which the block and cell system is built. The household is the organizational focal point of all the Germans united in an apartment and including roomers, domestic help, etc.

. . . . . .

The block of the NSDAP consists of 40 to 60 households (if possible no more than 50).

. . . . . .

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2. Personnel Questions.

a. The blockleiter is Hoheitstrager of the NSDAP

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c. Subordination: Within the Ortsgruppe (local chapter) the blockleiter is subordinate to the cell leader in disciplinary matters.

d. Appointment: The blockleiter will be appointed by the Ortsgruppenleiter (local chapter director).

. . . . . .

3. Tasks and Jurisdiction.

The blockleiter has jurisdiction over all matters within his zone relating to the Movement, and he is fully responsible to the cell leader.

. . . . . .

It is his duty to find people disseminating damaging rumors and to report them to the Ortsgruppe so that they may be reported to the respective State authorities.

The blockleiter must not only be preacher and defender of the National Socialist ideology towards the members of nation and Party entrusted to his political care, but he must also strive to achieve practical collaboration of the Party members within his block zone and he must make those of special talents and ability known to the Hoheitstrager.

The blockleiter shall continuously remind the Party members of their particular duties towards the people and the State.

. . . . . .

Furthermore, the blockleiter completes a list (card file) about the households.....

. . . . . .

It is the blockleiter's aim to achieve to the greatest extent possible that the sons and daughters of families within his zone become members of the various formations of the HJ, SA, SS, NSKK, as well as the corresponding affiliated organizations of the Party, and the German Labor Front, that they visit the National Socialist meetings, rallies, celebrations, etc. In short, the blockleiter must be an untiring activist and propagandist of the Movement.

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In principle, the blockleiter will settle his official business verbally, and he will receive messages verbally and pass them on in the same way. Correspondance will only be used in cases of absolute necessity and practicability.

Page 104.

5. Attitude Towards Members of the Nation.

. . . . . .

a. The blockleiter conducts National Socialist propaganda from mouth to mouth. He will eventually awaken the understanding of the eternally dissatisfied as regards the frecuently misunderstood or wrongly interpreted measures and laws of the National Socialist government. He is to encourage the members of the nation to ask questions and he is to point out that they may go ahead and talk to him without having to expect difficulties. He will admonish them, however, to exercise discretion towards other members of the nation as regards loose talk. It is not necessary for him to fall in with complaints and gripes about possibly obvious shortcomings of any kind in order to demonstrate this solidarity, but he must always be eager to think in a possitive manner and to influence those under his care by his attitude of confidence.

. . . . . .

b. A condition to gain the confidence of all people is to maintain absolute secrecy in all matters.

. . . . . .

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THE CELL OF THE NSDAP

A. CELL LEADER

1. Regional Sector.

The cell consists of four to eight blocks.

. . . . . .

2. Personnel Questions.

a. The cell leader is the Hoheitstrager of the NSDAP immediately superior to the block leader.

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Page 112.

3. Mission and Jurisdiction.

The missions of the cell leader correspond to the missions of the block leader.

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THE ORTSGRUPPE (LOCAL CHAPTER) OF THE NSDAP

1. Regional Sector.

The zone of sovereignty includes one or more communities; if necessary, towns may be subdivided into several zones of sovereignty.

. . . . . .

Page 119.

4. The Ortsgruppenleiter (Local Chapter Director)

I. Personnel Questions.

a. The Ortsgruppenleiter of the NSDAP in his capacity as Hoheitstrager is endowed with special rights.

. . . . . .

Page 119a.

c. Place of Rank: The Ortsgruppenleiter is directly subordinate to the respective Kreisleiter (County Director).

d. Appointment: The Ortsgruppenleiter is appointed by the Kreisleiter.

. . . . . .

Page 120.

II. Mission and Jurisdiction.

(1). General Responsibility.

Contrary to the time before the assumption of power, the actions of the NSDAP are not limited to the care of its members but now include the care of the entire German nation. This results in the following basic conditions for the Ortsgruppenleiter and his office chiefs:

The Ortsgruppenleiter and his office chiefs must manage their Party duties in addition to the fulfillment of their professional and family duties.

Therefore, the proper conduct of Party tasks is only possible if the tasks of the individual and, in particular, the honorary co-workers of the Party are as limited as possible.

As Hoheitstrager, all expressions of the Party will emanate from him; he is responsible for the political and ideological leadership and organization within his zone of sovereignty.

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The Ortsgruppenleiter carries the over-all responsibility for the political results of all measures initiated by the offices, organizations and affiliated associations of the Party. The Party office directors (office chiefs, etc.) within the staff of the Ortsgruppenleiter are the deputies of the Hoheitstrager in their respective offices.

The Ortsgruppenleiter has the right to protest to the Kreisleiter against any measures contrary to the interests of the Party with regard to a unified political appearance in public.

. . . . . .

Page 121.

(2) Special Tasks and Duties.

. . . . . .

c. Leader Conferences: The Ortsgruppenleiter has the duty to issue directives in regular conferences.

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Page 130.

THE KREISLEITUNG OF THE NSDAP

Page 131.

4. The Kreisleiter (County Director).

I. Personnel Questions.

a. Place of Rank: The Kreisleiter is directly subordinate to the Gauleiter (District Director).

. . . . . .

c. Appointment: The Kreisleiter is appointed by the Fuehrer upon suggestion of the Gauleiter.

Pages 132/133/134.

II. Mission and Jurisdiction of the Kreisleiter.

The Kreisleiter carries the over-all responsibility towards the Gauleiter within his zone of sovereignty for the political and ideological training and organization of the political leaders, the Party members, as well as the population.

. . . . . .

Page 136.

GAULEITUNG OF THE NSDAP

The Gauleitung - Gauleiter and Gau staff - have the political

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leadership of a designated sector of the Reich and there they perform creative work.

1. Regional Sector.

The Gau represents the concentration of a number of Party counties (Parteikreis).

. . . . . .

4. The Gauleiter.

The Gauleiter is directly subordinate to the Fuehrer. He is appointed by the Fuehrer.

The Gauleiter bears the over-all responsibility to the Fuehrer for the sector of sovereignty entrusted to him. The rights, duties, and jurisdiction of the Gauleiter result primarily from the mission assigned by the Fuehrer and, apart from that, from detailed directives.

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Page 140b.

7 B. Functions.

(1) The edition of the official gazette of the Gauleitung.

. . . . . .

(3) The central coordination office of the Gau directorate with the State authorities (Reich deputies, police, Gestapo, etc.). The arrangement of conferences between the Gauleiter and offices outside the Party (State, economy, and others) inasmuch as several Gau main offices or Gau offices are interested, in the presence of the respective professional Gau office directors.

(4) The installation of the M Section into the Gau staff office and, thus, the connection to the Armed Forces.

. . . . . .

(7) Preparation of matters of pardon and commutation of sentence.

. . . . . .

Page 141a.

C. Structure.

To be able to handle all these tasks the staff office director of the Gau is assigned the necessary number of co-workers. The above-mentioned tasks of the staff office director of the Gau are combined in the following main offices.

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(1) Reference for questions of the Armed Forces (mobilization matters).

(2) Information and report matters.

(3) Pardon matters.

(4) Matters of interior conduct of business in as far as these are not a concern of the Gau treasurer.

(5) Chancellery for personal -- official concerns of the Gauleiter and the Deputy Gauleiter.

(6) Law consultant of the Gau.

(7) Complaints and reception of visitors.

Page 146.

THE FUEHRER

The recognition of the sociologic l mismanagement in prewar Germany which prevented the growth of a genuine peoples' community, the front line experiences of the World War filled with the spirit of comradeship, and the disgust with the traitorous pacifist post-war Germany, matured the Fuehrer's decision to become a politician and to give the German people a state form which would assure its justified life interests for centuries.

To achieve this aim the Fuehrer created the National Socialist German Workers' Party. He filled it with his spirit and his will, and with it he conquered the power of the State on 30 January 1933. The Fuehrer's will is supreme in the Party. As supreme bearer of sovereignty in the Movement, he possesses the right of pardon in Party court matters.

By authority of the law about the Chief of State of the German Reich, dated 1 August 1934, the office of the Reich President has been combined with that of the Reich Chancellery. Consequently, the powers heretofore possessed by the Reich President were transferred to the Fuehrer, Adolf Hitler. Through this law, the conduct of Party and State has been combined in one hand. By desire of the Fuehrer, a plebiscite was conducted on this law on 19 August 1934. On this day, the German people chose Adolf Hitler to be their sole leader. He is responsible only to his own conscience and to the German nation.

To assist him, particularly in party-political questions, the Fuehrer uses the PARTY CHANCELLERY.

The Chief of the Party Chancellery, to guarantee closest collaboration between the offices of the Party and the State

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authorities, has the powers of a Reich Minister and is a member of the Reich Cabinet.

With the execution of tasks particular to the Party, the Fuehrer has entrusted the REICHSLEITER within the Reich Directorate of the NSDAP.

Pages 148/149.

THE REICH DIRECTORATE OF THE NSDAP

The NSDAP represents the political conception, the political conscience, and the political will of the German nation. Political conception, political conscience, and political will are embodied in the person of the Fuehrer. Based on his directives and in accordance with the program of the NSDAP, the organs of the Reich Directorate directionally determine the political aims of the German people. It is in the Reich Directorate where the strings of the organization of the German people and the State meet. By endowment of the Chief of the Party Chancellery with the powers of a Reich Minister, and by special administrative directives, the penetration of the State apparatus with the political will of the Party is guaranteed. It is the task of the separate organs of the Reich Directorate to maintain as close a contact as possible with the life of the nation through their sub-offices in the Gaus. Observations at the front are to be collected and exploited by the offices of the Reich Directorate.

The structure of the Reich Directorate is thus that the channel from the lowest Party office upwards shows the most minute weaknesses and changes in the mood of the people, and that the directives thereby produced in the Reich Directorate will reach the outer command posts of the Party quickly and clearly.

The Reich Directorate, then, sees to it that the reports of the mood of the people will move from the lower to the higher echelons uninterruptedly and quickly, and that the will of the Fuehrer will reach the most distant branches quickly and accurately, even as in the healthy organism of a tree, where the roots receive the food from the soil and lead it into the leaves while the juices formed in the leaves are being sent to the most distant roots. This coordination guarantees an ever-renewed reception of power and an ever-strengthening anchorage of the roots, and it permits the crown to spread further and further, to reach higher and higher, and yet to withstand wind and weather.

Since the National Socialist Movement has originated from the people, it is the most noble task of the Reich Directorate to watch that the strong roots of the Party - namely its ties with the nation - will not die off.

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Another essential task of the Reich Directorate is to assure a good selection of leaders. It is the duty of the Reich Directorate to see that there is leadership in all phases of life, a leadership which is firmly tied to National Socialist ideology and which promotes its dissemination with all its energy.

Apart from the general great political tasks which are the responsibility of the Reich Directorate, it will also see that the Party is well organized in all its offices. For that purpose, the Reich Organization Leader exercises a continuous supervision of the organizations of the entire Party apparatus, and he prevents the birth of a bureaucracy which would paralize the striking power of the Party. It is the supreme task of the Reich Organization Leader to preserve the Party as a well-sharpened sword for the Fuehrer.

The inner organization of the Reich Directorate serves for the execution of the above-named tasks. The number of its offices is so arranged that there will be a representation of all phases of national life within the Reich Directorate. The offices will have subordinate organizations in the other zones of sovereignty as may become necessary. The tasks, jurisdiction, etc., of the offices are further defined in detail in the following chapters.

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CERTIFICATE OF TRANSLATION OF
DOCUMENT NO. 1893-PS.

3 November 1945

I, Gerard Schaefer, 2nd Lt., Inf., 01332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1893-PS.

Gerard Schaefer,
2nd Lt., Inf.,
01332102.

TRANSLATION OF DOCUMENT 1893-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Excerpts from Various Pages of Organization Book of the NSDAP (Organisationsbuch der NSDAP) 1943 edition, Editor (Herausgeber), the Reich Organization Leader of the NSDAP (Dr. Robert Ley), Published by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich.

- -

Page 6 e.

3. Resignations.

. . . . . .

Authorized to decree dismissal on the basis of a lawful decision of a party court are:

(a) The Local Chapter Directors (Ortsgruppenleiter).
(b) The County Directors (Kreisleiter).
(c) The District Directors (Gauleiter).
(d) The Fuehrer.

Page 7.

6. DUTIES OF THE PARTY MEMBERS.

The commandments of the National Socialists:
The Fuehrer is always right.
. . . . . .
The program be your dogma:
It demands your utter devotion to the movement!
. . . . . .
Right is, what serves the movement and thus Germany which means the Nation.
. . . . . .

Page 13.

The Aims of the Party are Only Ideological Ones.

It must be attempted to transfer all professional duties which, during the reconstruction in connection with the rebuilding of the Reich, are still being executed by the Party, to the affiliated organizations or, if possible, to the State administration in due time. If necessary, and if possible, directives to this effect will be issued by the competent officers of the Reich Directorate (Reichsleitung).

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Page 13 Cont'd.:

The party as an instrument of ideological education, must grow to be the Leader Corps (Fuehrerkorps) of the German nation.

This Leader Corps is responsible for the complete penetration of the German Nation with the National Socialist spirit and to overcome the dependence on the international influences in which the nation is still partly rooted.

It will further be the duty of this Fuehrerkorps to see that the professional and general duties within the affiliated organizations and within the State administration will be handled according to National Socialist directives.

Page 14.

The Political Director (Der Politische Leiter).

The basis of the Party organization is the Fuehrer thought. The public is unable to rule itself either directly or indirectly. The man best suited for the job will be a Fuehrer. He will be carried by the confidence of the people. All Political Directors (Politischen Leiter) stand as appointed by the Fuehrer and are responsible to him. They possess full authority towards the lower echelons. In choosing the Political Director the main consideration will be to put the right man in the right place . . . . . In principle this is to be noted: Only a man who has absorbed the school of subordinate functions within the Party has a claim to the higher Fuehrer offices if he should be otherwise suited. We can only use Fuehrers who have served from the ground up. Any Political Director who does not conform to these principles is to be dismissed or to be sent back to the lower offices, as Blockleiter, Zellenleiter, for further training.

Each Political Director must be conscious always, as a Political Fuehrer, that leadership does not only confer greater powers, but first and foremost higher duties. . . . .

Page 15.

The Type of the Political Director (Politischenleiter).

All this shows the character of the Political Director. The Political Director is not an office worker but the Political Deputy of the Fuehrer . . . . . With the

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Page 15 Cont'd.:

Political Director we are building the political leadership of the State . . . . . The type of the Political Director is not characterized by the office which he represents. There is no such thing as a Political Director of the NSBO, etc., but there is only the POLITICAL DIRECTOR OF THE NSDAP.

Page 16.

The Oath of the Political Director.

The Political Director is sworn in yearly. The oath is worded as follows:

> "I pledge eternal allegiance to Adolf Hitler. I pledge unconditional obedience to him and the Fuehrers appointed by him."

The Political Director is inseparably tied to the ideology and the organization of the NSDAP. His oath only ends with his death or with his expulsion from the National Socialist community.

Page 17.

The Protection of the Honor of the Political Director.

The leading personalities of State and Party are protected against vicious attacks upon State and Party. (See Section 6).

This law primarily protects leading Party members from District Directors (Gauleiter) on up.

Should, however, a situation exist which is liable to degrade the Party and its institutions (for instance, an allegation of embezzlement by a Kreisleiter in which matter nothing was being done which would mean, in other words, that bad conditions were tolerated) the prosecution may be directed by authority of paragraph 1 of the law.

In case of attacks which are liable to degrade the Party and its officers prosecution may be requested through the competent State prosecutor after consultation with the proper law office of the Party.

Page 19.

The Appointment of Political Directors (Politischeleiter).

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Page 19 Cont'd.:

1. The Fuehrer appoints the following Political Directors:

(a) Reichsleiter and all Political Directors to include the Directors of the Womens Leagues within the Reich Directorate (Reichsleitung).

(b) Gauleiters to include the Directors of an office of the Gau Directorate, as well as the Directors of the Womens Leagues of the Gau.

(c) Kreisleiters.

Their appointment will be published in the official paper (Verordnungsblatt).

2. The Gauleiter appoints:

(a) The Political Directors and the Directors of the Womens Leagues within the Gau Directorate, and the Directors of the Main Offices up to Associate Directors (mitarbeiter).

(b) The Political Directors and the Directors of the Womens Leagues in the Kreis Directorate.

(c) The local Chapter Directors (Ortsgruppenleiter).

3. The Kreisleiter appoints: The Political Directors and the Directors of the Womens Leagues of the Local Chapter (Ortsgruppen) to include Block and Cell Directors and Block Helpers, as well as the Political Directors in the factories (inasmuch as they are Party members). All Political Directors and Directors of the Womens Leagues will be issued an identify card.

Page 24.

. . . . . .

All political directors irrespective of the local chapter, the county, or the district in which they may be in office will wear a uniform office suit.

All political directors irrespective in what party offices they execute their duties be it in the political directorate, the administration, the party courts, the affiliated associations or in the factories, will wear a uniform office suit.

Page 49.

MEETINGS OF MEMBERS AND PUBLIC MEETINGS

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The bearers of sovereignty of the party are responsible for the membership meetings planned by all party offices and affiliated associations. They will be approved:

1. By the local chapter director if they do not go beyond the local chapter in their importance.

2. By the county directors if they do not go beyond the county in their importance.

3. The district directors if they have a general political significance for the district.

The meetings will be conducted along the lines laid down by the local organization and propaganda offices.

. . . . . .

Page 50:

CELL EVENINGS OF THE NSDAP

1. Time of meetings:

Cell evenings of the NSDAP will be held once a month.

2. Conduct of the Cell Evenings:

The cell evenings of the Party will be conducted by the cell director of the NSDAP. If no suitable cell director is on hand--either because of his short time in office or insufficient indoctrination--the meeting will be in the hands of the local Chapter Director of the NSDAP.

3. Participants:

(a) Participation at a cell evening is compulsory for:

All political directors of the cell:
Block leaders and block helpers, cell foremen and block foremen living within the cell zone.
Factory cell and factory block foremen of the German Labor Front (DAF) and their ~~co-workers~~;
NSV cell and block managers:
Cell and block leaders of the ~~womens~~ league and the co-workers of the NSV and ~~NSF whose~~ domicile is within the Cell Zone.

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Page 50 Cont'd.:

All Party members within the cell;
All members of orgarizations of the NSDAP.

. . . . . .

5. Program of the Cell Evenings. (During War Time):

Following are the rules for the program of a cell evening:

(a) . . . . . .

(b) Lecture (not over 30 minutes) based on the directives issued by the Reich Directorate for Propaganda of the NSDAP.

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Page 50A-51:

LEADER CONFERENCES--TIME OF MEETINGS

1. Leader conferences in the local chapter zone.

(a) Local chapter directors and office chiefs, cell directors and block directors possibly in the presence of cell and block foremen, as well as cell and block managers and cell and block directors of the Womens League, as well as the local leaders of the organizations and possibly the deputies of the Kreis offices (health, education, civil servants, county policy, etc.).

Once a month.

(b) Cell directors with block directors and cell foremen, cell managers and cell directors of the Womens League.

Once a month.

(c) Block directors with block foremen, block managers, block leaders of the womens league and block helpers.

Once a month.

(d) All officers of the local chapter are also to participate in:

1. The official formation within the region of the local chapter (may be combined with leader conference (a)).

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Page 50A-51 Cont'd.:

2. Official formations of the county.

Every three months.

3. The District Day. (Gautag).

One every 3 years.

4. The County Day. (Kreistag).

If coinciding with District Day, County Day will be cancelled.

Once a year.

(e) Participation in schooling:

1. Participants: The political directors, foremen, managers, advisers, directors of the Women's League, etc.

. . . . . .

Once a month.

(f) Participation in education.

The political directors of the local chapter; in the evenings or Sunday mornings, sport to be conducted concurrently. (For further details see AVF).

Twice a month.

. . . . . .

2. Leader conferences in the county (Kreis):

(a) County director and his staff every 8 to 14 days.

(b) If possible the county director is to arrange for a week end course of 1½ to 2 days duration. (Possibly at a county school) (Kreisschule), with the participation of the directors of the county offices and local chapter directors.

One every 3 mos.

PURPOSE: To hear fundamental lectures, to gather socially in the presence of the bearer of sovereignty, to get to know each other, to overcome difficulties

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Page 50A-51 Cont'd.:

of personal and professional nature by a mutual exchange of thought.

In counties having a large number of local chapters these courses can be divided. Participation in these conventions is compulsory and official duties are not constituted an excuse under any circumstances.

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(d) The bearers of sovereignty will meet at least once a month with the leaders of the SA, SS, NSKK, HJ, as well as the RAD, and NSFK, in as far as they are located within their sector for mutual orientation.

3. Leader conferences in the District:

(a) District leaders (Qualeiter) with his staff every 8 to 14 days.

(b) It is further absolutely necessary that the directors of the GAU offices will meet with the county directors of their district once every three months for a three day convention (possibly at a district schooling castle) where they will have an opportunity to overcome difficulties of personal and professional nature, apart from hearing fundamental lectures, by social gatherings in the presence of the bearer of the sovereignty, by getting to know each other and by a mutual exchange of ideas. Participation in these conferences is compulsory and duty would not constitute an excuse under any circumstanees.

(c) The arrangement of social meeting in the presence of leaders of the organizations of RAD and NSFK of the respective zone of sovereignty. In the course of these meetings differences of opinions may be straightened out in d iscussions.

(d) The bearer of sovereignty will meet at least once a month with the leaders of the SA, SS, NSKK, HJ, as well a s the RAD and the NSFK who are within the zone for the purpose of mutual orientation.

Page 98.

Bearers of Sovereignty - (Hoheitstraeger).
Sectors of Sovereignty - (Hoheitsgebiete).

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Among the Political Directors (Politischeleiter) the Bearers of Sovereignty assume a special position. Contrary to the other Political Directors who have departmental missions and serve as advisers to the Bearers of Sovereignty, the Bearers of Sovereignty themselves are in charge of a geographical sector known as the Sector of Sovereignty (Hoheitsgebiete).

Bearers of Sovereignty are:

The Fuehrer.
The District Directors (Gauleiter).
The County Directors (Kreisleiter).
The Local Chapter Directors (Ortsgruppenleiter).
The Cell Directors (Zellenleiter).
The Block Directors (Blockleiter).
The Sectors of Sovereignty are:
The Reich.
The District.
The County.
The Local Chapter.
The Cell.
The Block.

Within their Sector of Sovereignty the Bearers of Sovereignty have sovereign political rights. They represent the Party within their Sector, internally and externally, and they are responsible for the entire political situation within their Sector. The Bearers of Sovereignty supervise all Party officers within their jurisdiction and they are responsible for the maintenance of discipline within their sector. On the other hand, the Directors of the Offices, etc., and of the affiliated organizations are responsible to their respective Bearers of Sovereignty as regards their specific missions apart from their responsibility towards their departmental superiors. The Bearers of Sovereignty are superior to all Political Directors, Managers, etc., within their sector. As regards personal considerations Bearers of Sovereignty, from a Local Chapter Director (Ortsgruppenleiter) on up are endowed with special rights. They may, within the provisions of their general directives regarding personnel authorizations, appointments, leaves, and the dismissal of Political Directors, execute the judgments of the Party law courts which have jurisdiction within their Sector of Sovereignty.

The Bearers of Sovereignty of the Party are not to be administrative officials for a certain sector but are to move in a continuous vital contact with the Political Directors and the population within their sector. The Bearers of Sovereignty are responsible for the proper and good supervision of all members of the nation within their sector. The supervision within a Local Chapter (Ortsgruppe) of the NSDAP should, if possible, not be

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conducted through its business office but through the Blocks and Cells and by the Directors of those units. Through the arrangement of regular interview hours everyone should be given the opportunity to contact his Bearer of Sovereignty.

. . . . The Party intends to achieve a state of affairs in which the individual German will find his way to the Party not only in cases of emergency but where the Party, upon its own initiative, as desired by the Fuehrer, will currently supervise and care for all members of the nation.

Page 70.

POLITICAL LEADERS AND THE SA

The political leaders conduct the practical political work and care for the German nation.

The SA is the instrument of training and education through the Party. The parallel organizations, SS and NSKK, are charged with maintaining physical fitness and soldierly spirit within their organizations and with the possibility of commitment as an inner political troop.

. . . . . .

Smooth cooperation in the service of the Movement and the avoidance of all petty jealousies is the absolute duty of both parties.

. . . . . .

Mutual Leader Conferences.

To emphasize unity and to promote it, the following principles will apply:

Hoheitstrager (bearers of sovereignty), gauleiters, kreisleiters, etc., will meet at least once a month with the leaders of the SA, SS, NSKK, and HJ, as well as RAD and NSFK, as found within their zone for the purpose of mutual orientation.

More than that, it is desirable to invite the SA leader to other political Fuehrer talks and the political leader to the SA Fuehrer talks.

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The Hoheitstrager is responsible for the entire political appearance of the Movement within his zone. The SA leader of that zone is tied to the directives of the Hoheitstrager in that respect.

Requisitioning the SA.

The Hoheitstrager is the ranking representative of the Party to include all organizations within his zone. He may requisition the SA located within his zone from the respective SA leader if they are needed for the execution of a political mission. The Hoheitstrager will then assign the mission to the SA.

. . . . . .

Should the Hoheitstrager need more SA for the execution of a political mission than is locally available, he then applies to the next higher office of sovereignty which, in turn, requests the SA from the SA office in his sector.

. . . . . .

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POLITICAL LEADERS AND THE SS

The directives laid down with regard to the relationship to the SA are similarly applicable to the SS.

. . . . . .

POLITICAL LEADERS AND THE NSKK

The directives laid down with regard to the relationship to the SA are similarly applicable to the NSKK.

Page 76.

POLITICAL LEADERS AND THE HJ

The directives laid down with regard to the relationship to the SA are similarly applicable to the HJ.

In appointing leaders of the HJ and the DJ, the office of the HJ must procure the approval of the Hoheitstrager of his zone. This means that the Hoheitstrager can prevent the appointment of leaders unsuited for the leadership of youth. If his approval has not been procured, an appointment may be cancelled if he so requests.

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The political leader has the right to requisition the HJ, in the same manner as the SA, for the execution of a political action.

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Page 76a.

THE POLITICAL LEADERS AND THE NS AVIATION CORPS (NSFK)

General Collaboration.

The ranking unit leader of the NSFK within the zone will be consulted during the general leader conferences by the Hoheitstrager of the NSDAP. Similarly, the Hoheitstrager or his deputy will be invited to general leader conferences and other meetings of the NSFK.

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Page 76b.

THE POLITICAL LEADER AND THE REICH LABOR SERVICE

General Collaboration.

Although the Reich Labor Service is no longer an organization within the NSDAP - on the basis of the Labor Duty Law of 26 June 1935 - the connection of this service with the Party is demonstrated by the appointment of the Reich Labor Leader to be Reichsleiter of the NSDAP.

To emphasize this union, the leaders of the Reich Labor Service within the zone will participate in the monthly leader conferences of the Hoheitstrager. More than that, it is desirable that the Reich Labor Leader will be invited to other political Fuehrer talks and, vice versa, the political leader to meetings of the Reich Labor Service.

Page 77.

THE POLITICAL LEADER AND THE STATE

To achieve unity of Party and State, the Chief of the Party Chancellery has been given the powers of a Reich Minister. In fundamental questions, the official channels of all Party offices and organizations of the NSDAP with the ministries and other State authorities and, in the opposite direction, of all State offices with organizations of the Party go through the Party Chancellery. This method will assure unified procedure of the Party towards the State.

The Chief of the Party Chancellery must be heard prior to the appointment of any higher civil servant; he will indicate the judgment of the Party towards the person of the proposed civil servant. To make sure of agreement between the municipal administration and the Party, the deputy of the NSDAP will have a decisive voice in the appointment and dismissal of the mayor, the aldermen, and the municipal councillors, and furthermore, in the following decisions of the mayor:

1. The decree of principal directives.

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2. The bestowal of honorary citizen rights and honorary titles.

The Chief of the Party Chancellery appoints the deputy of the NSDAP. On the basis of his directives, the gauleiter appoints the deputies as follows: for town and country districts, the kreisleiter. If this official happens to be an employee of a municipality or of an inspectorate, a gauinspector will be appointed. In special cases, the gauleiter may appoint himself as deputy.

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Membership in Affiliated Organizations.

The tasks of the affiliated organizations are laid down by the chief offices of the Party which have jurisdiction in the zone of those organizations.

. . . . . .

Only those organizations may claim to uphold the Fuehrer principle and the form of National Socialist organization and thus be recognized as promoting the continuation of State and people in the National Socialist sense who have found, and will find in the future, structure, supervision, and general character through the Party.

All others, living an existence of their own, are to be turned away as outsiders and must either change or disappear from public life.

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BLOCK OF THE NSDAP

A. BLOCKLEITER

1. Regional Sector.

The household: The household is the basic community upon which the block and cell system is built. The household is the organizational focal point of all the Germans united in an apartment and including roomers, domestic help, etc.

. . . . . .

The block of the NSDAP consists of 40 to 60 households (if possible no more than 50).

. . . . . .

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2. Personnel Questions.

a. The blockleiter is Hoheitstrager of the NSDAP

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c. Subordination: Within the Ortsgruppe (local chapter) the blockleiter is subordinate to the cell leader in disciplinary matters.

d. Appointment: The blockleiter will be appointed by the Ortsgruppenleiter (local chapter director).

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3. Tasks and Jurisdiction.

The blockleiter has jurisdiction over all matters within his zone relating to the Movement, and he is fully responsible to the cell leader.

. . . . . .

Page 101.

It is his duty to find people disseminating damaging rumors and to report them to the Ortsgruppe so that they may be reported to the respective State authorities.

The blockleiter must not only be preacher and defender of the National Socialist ideology towards the members of nation and Party entrusted to his political care, but he must also strive to achieve practical collaboration of the Party members within his block zone and he must make those of special talents and ability known to the Hoheitstrager.

Page 102.

The blockleiter shall continuously remind the Party members of their particular duties towards the people and the State.

. . . . . .

Furthermore, the blockleiter completes a list (card file) about the households.....

. . . . . .

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It is the blockleiter's aim to achieve to the greatest extent possible that the sons and daughters of families within his zone become members of the various formations of the HJ, SA, SS, NSKK, as well as the corresponding affiliated organizations of the Party, and the German Labor Front, that they visit the National Socialist meetings, rallies, celebrations, etc. In short, the blockleiter must be an untiring activist and propagandist of the Movement.

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In principle, the blockleiter will settle his official business verbally, and he will receive messages verbally and pass them on in the same way. Correspondance will only be used in cases of absolute necessity and practicability.

Page 104.

5. Attitude Towards Members of the Nation.

. . . . . .

a. The blockleiter conducts National Socialist propaganda from mouth to mouth. He will eventually awaken the understanding of the eternally dissatisfied as regards the frequently misunderstood or wrongly interpreted measures and laws of the National Socialist government. He is to encourage the members of the nation to ask questions and he is to point out that they may go ahead and talk to him without having to expect difficulties. He will admonish them, however, to exercise discretion towards other members of the nation as regards loose talk. It is not necessary for him to fall in with complaints and gripes about possibly obvious shortcomings of any kind in order to demonstrate this solidarity, but he must always be eager to think in a possitive manner and to influence those under his care by his attitude of confidence.

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b. A condition to gain the confidence of all people is to maintain absolute secrecy in all matters.

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THE CELL OF THE NSDAP

A. CELL LEADER

1. Regional Sector.

The cell consists of four to eight blocks.

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2. Personnel Questions.

a. The cell leader is the Hoheitstrager of the NSDAP immediately superior to the block leader.

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Page 112.

3. Mission and Jurisdiction.

The missions of the cell leader correspond to the missions of the block leader.

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THE ORTSGRUPPE (LOCAL CHAPTER) OF THE NSDAP

1. Regional Sector.

The zone of sovereignty includes one or more communities; if necessary, towns may be subdivided into several zones of sovereignty.

. . . . . .

Page 119.

4. The Ortsgruppenleiter (Local Chapter Director)

I. Personnel Questions.

a. The Ortsgruppenleiter of the NSDAP in his capacity as Hoheitstrager is endowed with special rights.

. . . . . .

Page 119a.

c. Place of Rank: The Ortsgruppenleiter is directly subordinate to the respective Kreisleiter (County Director).

d. Appointment: The Ortsgruppenleiter is appointed by the Kreisleiter.

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Page 120.

II. Mission and Jurisdiction.

(1). General Responsibility.

Contrary to the time before the assumption of power, the actions of the NSDAP are not limited to the care of its members but now include the care of the entire German nation. This results in the following basic conditions for the Ortsgruppenleiter and his office chiefs:

The Ortsgruppenleiter and his office chiefs must manage their Party duties in addition to the fulfillment of their professional and family duties.

Therefore, the proper conduct of Party tasks is only possible if the tasks of the individual and, in particular, the honorary co-workers of the Party are as limited as possible.

As Hoheitstrager, all expressions of the Party will emanate from him; he is responsible for the political and ideological leadership and organization within his zone of sovereignty.

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The Ortsgruppenleiter carries the over-all responsibility for the political results of all measures initiated by the offices, organizations and affiliated associations of the Party. The Party office directors (office chiefs, etc.) within the staff of the Ortsgruppenleiter are the deputies of the Hoheitstrager in their respective offices.

The Ortsgruppenleiter has the right to protest to the Kreisleiter against any measures contrary to the interests of the Party with regard to a unified political appearance in public.

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Page 121.

(2) Special Tasks and Duties.

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c. Leader Conferences: The Ortsgruppenleiter has the duty to issue directives in regular conferences.

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Page 130.

THE KREISLEITUNG OF THE NSDAP

Page 131.

4. The Kreisleiter (County Director).

I. Personnel Questions.

a. Place of Rank: The Kreisleiter is directly subordinate to the Gauleiter (District Director).

. . . . . .

c. Appointment: The Kreisleiter is appointed by the Fuehrer upon suggestion of the Gauleiter.

Pages 132/133/134.

II. Mission and Jurisdiction of the Kreisleiter.

The Kreisleiter carries the over-all responsibility towards the Gauleiter within his zone of sovereignty for the political and ideological training and organization of the political leaders, the Party members, as well as the population.

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Page 136.

GAULEITUNG OF THE NSDAP

The Gauleitung - Gauleiter and Gau staff - have the political

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leadership of a designated sector of the Reich and there they perform creative work.

1. Regional Sector.

The Gau represents the concentration of a number of Party counties (Parteikreis).

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4. The Gauleiter.

The Gauleiter is directly subordinate to the Fuehrer. He is appointed by the Fuehrer.

The Gauleiter bears the over-all responsibility to the Fuehrer for the sector of sovereignty entrusted to him. The rights, duties, and jurisdiction of the Gauleiter result primarily from the mission assigned by the Fuehrer and, apart from that, from detailed directives.

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Page 140b.

7 B. Functions.

(1) The edition of the official gazette of the Gauleitung.

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(3) The central coordination office of the Gau directorate with the State authorities (Reich deputies, police, Gestapo, etc.). The arrangement of conferences between the Gauleiter and offices outside the Party (State, economy, and others) inasmuch as several Gau main offices or Gau offices are interested, in the presence of the respective professional Gau office directors.

(4) The installation of the H Section into the Gau staff office and, thus, the connection to the Armed Forces.

. . . . . .

(7) Preparation of matters of pardon and commutation of sentence.

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Page 141a.

C. Structure.

To be able to handle all these tasks the staff office director of the Gau is assigned the necessary number of co-workers. The above-mentioned tasks of the staff office director of the Gau are combined in the following main offices.

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Page 14la Cont'd.

(1) Referee for questions of the Armed Forces (mobilization matters).

(2) Information and report matters.

(3) Pardon matters.

(4) Matters of interior conduct of business in as far as these are not a concern of the Gau treasurer.

(5) Chancellery for personal - official concerns of the Gauleiter and the Deputy Gauleiter.

(6) Law consultant of the Gau.

(7) Complaints and reception of visitors.

Page 146.

THE FUEHRER

The recognition of the sociologic l mismanagement in prewar Germany which prevented the growth of a genuine peoples' community, the front line experiences of the World War filled with the spirit of comradeship, and the disgust with the traitorous pacifist post-war Germany, matured the Fuehrer's decision to become a politician and to give the German people a state form which would assure its justified life interests for centuries.

To achieve this aim the Fuehrer created the National Socialist German Workers' Party. He filled it with his spirit and his will, and with it he conquered the power of the State on 30 January 1933. The Fuehrer's will is supreme in the Party. As supreme bearer of sovereignty in the Movement, he possesses the right of pardon in Party court matters.

By authority of the law about the Chief of State of the German Reich, dated 1 August 1934, the office of the Reich President has been combined with that of the Reich Chancellery. Consequently, the powers heretofore possessed by the Reich President were transferred to the Fuehrer, Adolf Hitler. Through this law, the conduct of Party and State has been combined in one hand. By desire of the Fuehrer, a plebiscite was conducted on this law on 19 August 1934. On this day, the German people chose Adolf Hitler to be their sole leader. He is responsible only to his own conscience and to the German nation.

To assist him, particularly in party-political questions, the Fuehrer uses the PARTY CHANCELLERY.

The Chief of the Party Chancellery, to guarantee closest collaboration between the offices of the Party and the State

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authorities, has the powers of a Reich Minister and is a member of the Reich Cabinet.

With the execution of tasks particular to the Party, the Fuehrer has entrusted the REICHSLEITER within the Reich Directorate of the NSDAP.

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THE REICH DIRECTORATE OF THE NSDAP

The NSDAP represents the political conception, the political conscience, and the political will of the German nation. Political conception, political conscience, and political will are embodied in the person of the Fuehrer. Based on his directives and in accordance with the program of the NSDAP, the organs of the Reich Directorate directionally determine the political aims of the German people. It is in the Reich Directorate where the strings of the organization of the German people and the State meet. By endowment of the Chief of the Party Chancellery with the powers of a Reich Minister, and by special administrative directives, the penetration of the State apparatus with the political will of the Party is guaranteed. It is the task of the separate organs of the Reich Directorate to maintain as close a contact as possible with the life of the nation through their sub-offices in the Gaus. Observations at the front are to be collected and exploited by the offices of the Reich Directorate.

The structure of the Reich Directorate is thus that the channel from the lowest Party office upwards shows the most minute weaknesses and changes in the mood of the people, and that the directives thereby produced in the Reich Directorate will reach the outer command posts of the Party quickly and clearly.

The Reich Directorate, then, sees to it that the reports of the mood of the people will move from the lower to the higher echelons uninterruptedly and quickly, and that the will of the Fuehrer will reach the most distant branches quickly and accurately, even as in the healthy organism of a tree, where the roots receive the food from the soil and lead it into the leaves while the juices formed in the leaves are being sent to the most distant roots. This coordination guarantees an ever-renewed reception of power and an ever-strengthening anchorage of the roots, and it permits the crown to spread further and further, to reach higher and higher, and yet to withstand wind and weather.

Since the National Socialist Movement has originated from the people, it is the most noble task of the Reich Directorate to watch that the strong roots of the Party - namely its ties with the nation - will not die off.

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Another essential task of the Reich Directorate is to assure a good selection of leaders. It is the duty of the Reich Directorate to see that there is leadership in all phases of life, a leadership which is firmly tied to National Socialist ideology and which promotes its dissemination with all its energy.

Apart from the general great political tasks which are the responsibility of the Reich Directorate, it will also see that the Party is well organized in all its offices. For that purpose, the Reich Organization Leader exercises a continuous supervision of the organizations of the entire Party apparatus, and he prevents the birth of a bureaucracy which would invalidate the striking power of the Party. It is the supreme task of the Reich Organization Leader to preserve the Party as a well-sharpened sword for the Fuehrer.

The inner organization of the Reich Directorate serves for the execution of the above-named tasks. The number of its offices is so arranged that there will be a representation of all phases of national life within the Reich Directorate. The offices will have subordinate organizations in the other zones of sovereignty as may become necessary. The tasks, jurisdiction, etc., of the offices are further defined in detail in the following chapters.

CERTIFICATE OF TRANSLATION OF
DOCUMENT NO. 1893-PS.

3 November 1945

I, Gerard Schaefer, 2nd Lt., Inf., 01332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1893-PS.

Gerard Schaefer,
2nd Lt., Inf.,
01332102.

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TRANSLATION OF DOCUMENT 2001-PS
OFFICE OF U S CHIEF COUNSEL

Reichsgesetzblatt, Part I, Page 141

Law to remove the distress of people and State of
24 March 1933

Gesetz zur Behebung der Not von Volk und Reich vom
24.Maerz 1933

The Reich-Parliament has resolved upon the following law which is promulgated herewith with approval of the Reich-Council after it has been established that all the requirements of legislation for changing the constitution have been complied with.

Section 1

Laws for the Reich can be resolved upon also by the Reich-Government besides the procedure provided by the constitution of the Reich. This also applies to the laws pursuant to sections 85 sub-section 2 and 87 of the Reich-Constitution.

Section 2

The laws for the Reich resolved upon by the Reich-Government may deviate from the Reich-Constitution insofar as they do not deal with the institution of the Reich-Parliament or the Reich-Council as such. The powers of the Reich-President will remain intact.

Section 3

The laws for the Reich resolved upon by the Reich-Government are issued by the Reich-Chancellor and promulgated in the Reichsgesetzblatt. They will become effective, insofar as they don't determine otherwise on the day following their promulgation. Section 68 to 77 of the Reich-Constitution are not applicable to the laws resolved upon by the Reich-Government.

Section 4

Treaties of the Reich with foreign countries relating to matters of the legislation of the Reich do not require the approval of the bodies participating in the legislation. The Reich-Government issues the rules necessary for the execution of such treaties.

Section 5

This law will become effective on the day of its promulgation. It becomes ineffective on 1. April 1937. Moreover it becomes ineffective if the present

H1100 - 0086

Reich-Government should be replaced by another.

Berlin, 24 March 1933

The Reich-President
von Hindenburg

The Reich-Chancellor
Adolf Hitler

The Reich-Minister for the Interior
Frick

The Reich-Minister for Foreign Affairs
Freiherr von Neurath

The Reich-Minister for Finances
Count Schwerin von Krosigk

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2001-PS 12 November 1945

I, Fred Niebergall, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2001-PS

Fred Niebergall
2nd Lt.Inf.
0-1335567

TRANSLATION OF DOCUMENT 2003-PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1100 - 0087

1934 REICHSGESETZBLATT, PART I, PAGE 747

Law re the Sovereign Head of the German Reich
1 August 1934

Gesetz über das Staatsoberhaupt des Deutschen Reichs
Vom 1 August 1934

The Reich Government has enacted the following law which is hereby promulgated:

Section 1.

The office of the Reichspräsident will be consolidated with that of the Reich Chancellor. The existing authority of the Reichspräsident shall consequently be transferred to the Führer and Reich Chancellor, Adolph Hitler. He shall select his representative

Section 2.

This law is effective as of the time of the death of Reichspräsident von Hindenburg.

The Reich Chancellor
Adolf Hitler

The Reich Deputy Chancellor
von Papen

The Reich Minister of Foreign Affairs
Freiherr von Neurath

The Reich Minister of Interior
Frick

The Reich Minister of Finance
Graf Schwerin von Krosigt

The Reich Minister of Labor
Franz Seldte

The Reich Minister of Justice
Dr. Gürtner

The Reich Minister for Defense
von Blomberg

The Reich Postal Minister and
Transportation Minister
Freiherr von Eltz

The Reich Minister for Nutrition and
Agriculture
R. Walther Darre

The Reich Minister for Enlightenment
and Propaganda
Dr. Goebbels

The Reich Minister for Air Travel
Hermann Goering

The Reich Minister for Science,
Training, and Education
Bernhard Rust

The Reich Minister without Portfolio
Rudolf Hess

The Reich Minister without Portfolio
Hanns Kerrl

.....

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2003-PS

31 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2003-PS.

FRED NIEBERGALL
2nd Lt Inf
0-1335567.

TRANSLATION OF DOCUMENT 2004-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 153

Preliminary Law for the Coordination of the Federal States under the Reich, 31 March 1933.

Vorläufiges Gesetz zur Gleichschaltung der Länder mit dem Reich. Vom 31. März 1933

* * * *

Article 4

(1) The popular representation of the federal states (diets - "Landtage", citizens assemblies - "Bürgerschaften") is hereby dissolved with the exception of the Prussian diet ("Preussischer Landtag") elected 5 March 1933, insofar as this has not already happened according to the law of the state.

(2) They will be newly constituted according to the number of votes which in the election to the German Reichstag were given to the electoral lists within each federal state. In this connection, seats falling to the Communist Party will not be given out. The same will be true for electoral lists of electoral groups which are to be regarded as a substitute for the electoral lists of the Communist Party.

* * * *

Berlin, 31 March 1933.

The Reich Chancellor
ADOLF HITLER

The Reich Minister of Interior
FRICK

- - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2004-PS

1 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2004-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-1335567

H1100 - 0088

H1100 - 0089

TRANSLATION OF DOCUMENT 2005-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 173

Second Law Integrating the Laender with the Reich
7 April 1933

Zweites Gesetz zur Gleichschaltung der Laender mit dem Reich
vom 7 April 1933

The Reich Government has enacted the following law which is hereby promulgated:

1

(1) In the German "Laender", with the exception of Prussia, the Reich President, upon the proposal of the Reich Chancellor, shall appoint the Reich governor, the Reich governor shall require the observance of the general policy laid down by the Reich Chancellor. The following powers of "Land" authority belong to him:

1. Appointment and removal of the head of the "Land" Government, and upon his proposal, the other members of the "Land" Government.

2. Dissolution of the legislature and designation of the new election subject to the rule of section 8 of the Provisional Law of March 31, 1933, Integrating the German "Laender" with the Reich.

3. Preparations and publication of "Land" laws, including the laws which are determined upon by the "Land" Government according to section I of the Provisional Law of March 31, 1933, Integrating the German "Laender" with the Reich. Article 70 of the Constitution of August 11, 1919, applies accordingly.

4. Upon the proposal of the "Land" Government, appointment and dismissal of the higher "Land" officials and judges, so far as this formerly was accomplished by the highest "Land" officials.

5. The power of pardon.

(2) The Reich governor may preside over the meetings of the "Land" Government.

(3) Article 63 of the German Constitution of August 11, 1919 remains unaltered.

2

(1) A Reich Governor may not simultaneously be a member of a "Land" Government. He shall belong to the "Land" whose sovereign powers he exercises. His official residence is at the seat of the "Land" Government.

(2) For several "Lands" in each of which there are less than 2 million inhabitants, a common "Land" governor who must be a resident of one of these "Lands", may be appointed. The Reich President shall designate the governor's official residence.

3

(1) The Reich governor is appointed for the duration of a "Land" legislative period. He can be recalled at any time by the Reich President on the proposal of the Reich Chancellor.

(2) The provision of the Reich Ministry Law of March 27, 1930, find appropriate application to the office of Reich governor. His remuneration is borne by the Reich; the establishment of its size remain unsettled.

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4

Votes of no confidence of the "Land" legislature against the head and the members of the "Land" Government are not permissible.

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The Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2005-PS

9 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2005-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

TRANSLATION OF DOCUMENT 2006-PS
OFFICE OF U S CHIEF OF COUNSEL

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1934 REICHSGESETZBLATT, PART I, PAGE 75

Law for the Reconstruction of the Reich
30 January 1934

Gesetz über den Neuaufbau des Reichs
Vom. 30 Januar 1934.

The popular referendum and the Reichstag election of November 12, 1933 have proven that the German people have attained an indestructible internal unity ("unlöslichen inneren Einheit") superior to all internal sub-divisions of political character.

Consequently, the Reichstag has enacted the following law which is hereby promulgated with the unanimous vote of the Reichstag after ascertaining that the requirements of the Reich Constitution have been met:

ARTICLE I

Popular assemblies ("Volksvertretungen") of the "Länder" shall be abolished.

ARTICLE II

(1) The sovereign powers ("Hoheitsrechte") of the "Länder" are transferred to the Reich.

(2) The "Länder" governments are placed under the Reich government.

ARTICLE III

The Reich governors are placed under the administrative supervision of the Reich Minister of Interior.

ARTICLE IV

The Reich Government may issue new constitutional laws.

ARTICLE V

The Reich Minister of Interior may administer the necessary legal and administrative regulations for the executions of the law.

ARTICLE VI

This law shall be effective on the day of its promulgation.

Berlin, 30 January 1934.

The Reich President
von Hindenburg

The Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2006-PS

31 October 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2006-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

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TRANSLATION OF DOCUMENT 2007-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART I, PAGE 65

Reich Governor Law
30 January 1935

Reichsstatthalter Gesetz
Vom. 30 Januar 1935

The Reich Government has enacted the following law which has hereby been promulgated:

Para. 1

(1) The Reich Chancellor designates trustees of labor for the larger economic areas upon the proposal of the competent provincial governments and in agreement with them.

(2) The Reich Labor Minister will assign the trustees either to the participating provincial governments if they agree or to the provincial authorities.

Para. 2

(1) Until a new revision of the social constitution the trustees are to regulate the conditions for the conclusion of labor contracts. This practise is to be legally binding for all persons and replaces the system founded on combinations of workers, of individual employers or of combinations of employers. The regulations concerning the general application (para 2 ff of the tariff accord decree in the publication of March 1928, Reichsgesetzblatt I, p 47) remain unaffected.

(2) Moreover, the trustees are also to look after the maintenance of the labor peace.

(3) Furthermore, they are to be convoked for their cooperation in the preparation of a new social constitution.

Para. 3

The trustees are empowered to request aid of the competent Reich and provincial authorities for the execution of their regulations. They should put themselves in contact with the provincial government or one of their designated authorities before executing their measures, even though the danger of delay exists.

Para. 4

The trustees of labor are bound by the directives and decrees of the Reich government.

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TRANSLATION OF DOCUMENT 2007-PS
OFFICE OF U S CHIEF OF COUNSEL
continued

Para. 5

The Reich Labor Minister is to decree the necessary execution stipulation in agreement with the Reich Economics Minister.

Berlin 19 May 1933

The Reich Chancellor
Adolf Hitler
The Reich Labor Minister
Franz Seldte
The Reich Economics Minister and
Reich Minister for Food Supplies and
Agriculture
Hugenberg
The Reich Minister of the Interior
Frick
The Reich Minister of Finance
Count Schwerin von Krosigk

CERTIFICATION OF TRANSLATION
OF EXCERPT FROM 2007-PS

6 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of the indicated excerpt from Document No. 2007-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1100 - 0094

TRANSLATION OF DOCUMENT 2007-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART I, PAGE 65

Reich Governor Law
30 January 1935

Reichsstatthalter Gesetz
Vom. 30 Januar 1935

The Reich Government has enacted the following law which has hereby been promulgated:

Para. 1

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(2) The Reich Labor Minister will assign the trustees either to the participating provincial governments if they agree or to the provincial authorities.

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(3) Furthermore, they are to be convoked for their cooperation in the preparation of a new social constitution.

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Para. 4

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H1100 - 0095

TRANSLATION OF DOCUMENT 2007-PS
OFFICE OF U S CHIEF OF COUNSEL
continued

Para. 5

The Reich Labor Minister is to decree the necessary execution stipulation in agreement with the Reich Economics Minister.

Berlin 19 May 1933

The Reich Chancellor
Adolf Hitler
The Reich Labor Minister
Franz Seldte
The Reich Economics Minister and
Reich Minister for Food Supplies and
Agriculture
Hugenberg
The Reich Minister of the Interior
Frick
The Reich Minister of Finance
Count Schwerin von Krosigk

CERTIFICATION OF TRANSLATION
OF EXCERPT FROM 2007-PS

6 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf, 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of the indicated excerpt from Document No. 2007-PS.

FRED NIEBERGALL
2nd Lt Inf
0-1335567

H1100 - 0096

1935 REICHSGESETZBLATT, PART I, PAGE 49

German Communal Ordinance
30 January 1935

Die Deutsche Gemeindeordnung
Vom. 30 Januar 1935.

The "Deutsche Gemeindeordnung" aims at qualifying the communes for the highest achievements in close cooperation with Party and State, affording them full opportunities for helping to accomplish-- in the true spirit of Baron vom Stein, the creator of communal home rule-- the purpose of the State: to restore the priority of the common weal over the individual in a united people permeated by one national will; to place the public interest before selfish ends and to bring about the true national community under the leadership of the best of the people, in which every willing fellow-citizen finds the feeling of mutual solidarity.

The German Communal Ordinance is a basic law of the National Socialist State. The reconstruction of the Reich will be completed on the foundations laid by the act.

The Reich Government has therefore enacted the following law which is hereby promulgated.

. . . . . .

Section 6.

(1) The mayor ("Bürgermeister") is the head of the commune, He is represented by the executive officers ("Beigeordnete").

(2) The mayor and the executive officers receive their appointments through the confidence of Party and State. In order to insure harmony between the communal administration and the Party, the delegate of the National Socialist Workers' Party participates in certain matters. Continuous contact between the communal administration and the citizens is guaranteed by the councillors ("Gemeinderäte"), who as meritorious and experienced men assist the mayor through their advice.

. . . . . .

Section 33.

(1) In order to insure harmony between the communal administration and the Party, the delegate of the National Socialist German Workers' Party participates, apart from the appointment and recall of the mayor, the executive officers, and thecouncillors (Secs. 41, 45, 51, 54), in the following decisions of the mayor:

1. The issuance of the basic ordinance requires the approval of the Party delegate;

2. Honorary citizenship and honorary titles may be granted or revoked only with his consent.

(2) When the Party delegate (NSDAP) refuses to concur with the mayor he must give his reasons in writing within two weeks after the mayor has requested his decision. If the matter concerns the basic ordinance, the Party delegate must state the provisions disapproved by him, otherwise his approval is considered granted. Should further conferences or correspondence between the Party delegate and the mayor fail to bring about an agreement, the mayor must request the decision of the supervisory authority, in city counties that of the Reich governor. In the case of the basic ordinance, the Reich governor must have the

approval of the Reich Minister of the Interior for any final decision overruling the recommendation of the supervisory authority. The decision of the Reich governor is binding upon the supervisory authority.

. . . . . .

Section 41.

(1) Vacant full-time positions of mayor and executive officer must be advertised before they are filled by the commune. All applications received are to be sent to the Party delegate, who after secretly conferring with the councillors nominates up to three candidates. In the case of an executive officer he must give the mayor an opportunity to express his opinion of the candidate.

(2) In submitting his nominations together with all the applications the Party delegate proceeds as follows:

1. If the vacancy concerns the position of mayor, senior executive officer or chamberlain in cities of more than 100,000 inhabitants, the folder is sent through the supervisory authority to the Reich Minister of the Interior,

2. In the case of the position of another executive officer in cities of the above class and in the case of the position of mayor and executive officer in other city counties, the folder is sent through the supervisory authority to the Reich governor;

3. In the case of the position of mayor and executive officer in cities belonging to a rural county, the folder is sent through the supervisory authority to the higher supervisory authority, and for all remaining communes to the supervisory authority.

(3) If the proper authority concerned with the matter approves of a nomination, the commune appoints the candidate. Otherwise new nominations must be submitted. If no new nomination finds the approval of the proper authority, the latter selects a candidate, whom the commune must appoint. The same applies if nominations are not made within the period of time specified by the proper authority.

(4) Vacancies in the position of unpaid mayor or executive officer need not be advertised. The proper authority may permit a commune to proceed without advertising a vacancy in a position mentioned under (2). Otherwise the regulations given in (1) to (3) apply accordingly.

(5) Nominations are to be kept confidential until the proper authority according to (2) has made its decision.

. . . . . .

Section 45.

(1) The proper authority according to Sec. 41 (2) may revoke the appointment of a mayor or executive officer until the close of their first year of office. For positions of the first category under Sec. 41(2) the Reich governor must be invited to express himself on the matter. The same applies to the Party delegate for position of the third category under Sec. 41(2); cases of disagreement require a decision of the Reich governor.

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Title 2

Communal Councillors

Gemeinderäte

Section 48.

(1) It is the duty of the councillors to keep the communal administration in close touch with all groups of the citizenry. They must advise the mayor on their own responsibility and uphold his measures among the population. In their activities they are to be guided solely by the thought of preserving and promoting the common weal.

(2) In cities the councillors have the title of "Ratsherr."

. . . . . .

Section 51.

(1) The Party delegate selects the councillors in agreement with the mayor. In making the appointment, he is to take into account national reliability, qualifications, and reputation, and must consider personalities whose activities give the commune its special significance or who exert an important influence upon the life of the community.

(2) Civil servants, employees and workers of the commune and civil servants of the supervisory authority may not be appointed councillors. The supervisory authority may grant exceptions from this rule.

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PART VII

SUPERVISION

Aufsicht

Section 106.

The State supervises the communes in order to insure that their activities conform with the laws and the aims of national leadership. The supervision shall be exercised in such a way that the initiative and the sense of responsibility of the communal administration are strengthened and not diminished.

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Section 123.

The provisions of this act take effect on April 1, 1935.

Berlin, 30 January 1935.

The Führer and Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

H1100 - 0099

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2008-PS

31 October 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2008-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

TRANSLATION OF DOCUMENT 2012-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 195

First Regulation for Administration of the Law for the Restoration of the Professional Civil Service of 11 April 1933

Erste Verordnung zur Durchführung des Gesetzes zur Wiederherstellung des Berufsbeamtentums vom 11. April 1933

On the basis of Article 17 of the Law for the Restoration of the Professional Civil Service of 7 April 1933 (RGBl I, 175), the following regulation is issued:

1.

To Article 2:

Unfit, are all civil servants who belong to the communist party or communist aid- or supplementary organization (Hilfs- oder Ersatzorganisation). They are, therefore, to be discharged.

2.

To Article 3:

1) A person is to be regarded as non-Aryan, who is descended from non-Aryans, especially Jewish parents or grandparents. This holds true even if only one parent or grandparent is of non-Aryan descent. This premise especially obtains if one parent or grandparent was of Jewish faith.

2) If a civil servant was not already a civil servant on 1 August 1914, he must prove that he is of Aryan descent, or that he fought at the front, or that he is the son or the father of a man killed during the World War. Proof must be given by submitting documents (birth certificate and marriage certificate of the parents, military papers).

3) If Aryan descent is doubtful, an opinion must be obtained from the expert on racial research commissioned by the Reich Minister of the Interior. (Sachverständiger für Rasseforschung.)

3.

To Article 4:

1) In determining whether the suppositions of Article 4, sentence (1) are given, the whole political career of the official is to be considered, particularly from 9 November 1918 on.

2) Every official is required on request to attest to the highest Reich or country authority (Article 7) as to what political party he has been a member of until the present. As political parties in the sense of this definition reference is made to the Reichsbanner, Black-Red-Gold, the Republican Judges' Union and the League for the Rights of Man.

4.

All negotiations, documents and official certificates which are requisite for the fulfillment of this law, are free of duty and stamping (gebühren- und stempelfrei).

Berlin, 11 April 1933

The Reich Minister of the Interior
Frick
The Reich Minister of Finance
Count Schwerin von Krosigk

H1100 – 0100

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2012-PS

24 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2012-PS.

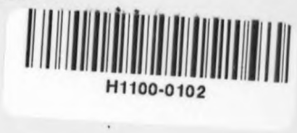
FRED NIEBERGALL
2nd Lt Inf.
O-1335567

H1100-0101

TRANSLATION OF DOCUMENT 2014-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 341
Law About Changing the Rules of Criminal Law and Criminal Procedure of 24 April 1934

Gesetz zur Änderung von Vorschriften des Strafrechts und des Strafverfahrens, Vom 24 April 1934.



CHAPTER III

Article 1

(1) A People's Court is formed as a trial court in cases of high treason and treason.

(2) When the People's Court sits for trial, the decisions are made by five members; otherwise by three members, including the President. The President and one other member must have the qualifications of judges. Several Senates may be formed.

(3) The Oberreichsanwalt (Supreme Reich Prosecutor) is the prosecuting authority.

Article 2

On the suggestion of the Reich Minister of Justice, the Reich Chancellor appoints the members of the People's Court and their deputies for a period of five years.

Article 3

(1) The People's Court has jurisdiction over the investigations and has the power to make the sole and final decision in cases of high treason according to Articles 80-84--, treason according to Articles 89-92--, attacks against the Reich President according to Article 94, paragraph 1 of the Reich Criminal Code: and crimes according to Article 5, paragraph 2, No. 1 of the Decree of the Reich President for the Protection of People and State of February 28, 1933 (Reichsgesetzblatt I, p. 83). In these cases the People's Court also makes the decisions enumerated in Article 73, paragraph 1 of the Gerichtsverfassungsgesetz (Law of the Organization of the German Courts.)

* * * *

Article 5

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(2) There is no appeal from the decisions of the People's Court.

CHAPTER IV

* * * *

Article 3

The appointment of a Council of Defense must be approved by the President of the People's Court.

* * * *

Berlin, April 24, 1934

The Reich Chancellor
ADOLF HITLER

The Reich Minister of Justice also
for the Reich Minister of the Interior
DR. GUERTNER

The Reich Minister of Defense
VON BLOMBERG

H1100-0103

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2014-PS

31 October 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2014-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-1335567

TRANSLATION OF DOCUMENT 2014-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 341
Law About Changing the Rules of Criminal Law and Criminal Procedure of 24 April 1934

Gesetz zur Änderung von Vorschriften des Strafrechts und des Strafverfahrens, Vom 24 April 1934.

CHAPTER III

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* * * *

Article 5

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(2) There is no appeal from the decisions of the People's Court.

CHAPTER IV

* * * *

Article 3

The appointment of a Council of Defense must be approved by the President of the People's Court.

* * * *

Berlin, April 24, 1934

The Reich Chancellor
ADOLF HITLER

The Reich Minister of Justice also
for the Reich Minister of the Interior
DR. GUERTNER

The Reich Minister of Defense
VON BLOMBERG

H1100-0105

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2014-PS

31 October 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2014-PS.

FRED NIEBERGALL
2nd Lt. Inf,
O-1335567

TRANSLATION OF DOCUMENT 2014-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 341
Law About Changing the Rules of Criminal Law and Criminal Procedure of 24 April 1934

Gesetz zur Änderung von Vorschriften des Strafrechts und des Strafverfahrens, Vom 24 April 1934.

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On the suggestion of the Reich Minister of Justice, the Reich Chancellor appoints the members of the People's Court and their deputies for a period of five years.

Article 3

(1) The People's Court has jurisdiction over the investigations and has the power to make the sole and final decision in cases of high treason according to Articles 80-84--, treason according to Articles 89-92--, attacks against the Reich President according to Article 94, paragraph 1 of the Reich Criminal Code: and crimes according to Article 5, paragraph 2, No. 1 of the Decree of the Reich President for the Protection of People and State of February 28, 1933 (Reichsgesetzblatt I, p. 83). In these cases the People's Court also makes the decisions enumerated in Article 73, paragraph 1 of the Gerichtsverfassungsgesetz (Law of the Organization of the German Courts.)

* * * *

Article 5

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(2) There is no appeal from the decisions of the People's Court.

CHAPTER IV

* * * *

Article 3

The appointment of a Council of Defense must be approved by the President of the People's Court.

* * * *

Berlin, April 24, 1934

The Reich Chancellor
ADOLF HITLER

The Reich Minister of Justice also
for the Reich Minister of the Interior
DR. GUERTNER

The Reich Minister of Defense
VON BLOMBERG

H1100-0107

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2014-PS

31 October 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2014-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-1335567

TRANSLATION OF DOCUMENT 2018-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1939 REICHSGESETZBLATT, PART I, PAGE 1539

Führer's Decree Establishing a Ministerial Council For Reich Defense

30 August 1939

"Erlass des Führers über die Bildung eines Ministerrats für die Reichsverteidigung"
vom 30 August 1939

For the period of the present foreign political tension, I decree the following for the uniform leadership of administration and economy:

I

(1) A Ministerial Council for Reich Defense shall be established as a standing committee out of the Reich Defense Council.

(2) The standing members of the Ministerial Council for Reich Defense shall include: General Field Marshall Goering as chairman, Führer's Deputy, Commissioner General for Reich Administration, Commissioner General for the Economy, Reich Minister and Chief of the Reich Chancellory, Chief of the High Command for the Armed Forces.

(3) The chairman may draw on other members of the Reich Defense Council including further personalities for advice.

II

The Ministerial Council for Reich Defense may issue decrees with statutory effect, in so far as I have not provided for the passing of a law by the Reich Government or the Reichstag.

III

The authority of General Field Marshall Goering under the Decree for the Administration of the Four-Year Plan of October 13, 1936 (RGBl. I 887) including his power to issue instructions shall remain unaffected.

IV

The Reich Minister and Chief of the Reich Chancellory shall supervise the business of the Ministerial Council for Reich Defense.

V

I shall determine the period for the expiration date of this decree.

Berlin, 30 August 1939.

The Führer
Adolf Hitler

Göring
General Field Marshall

The Reichs Minister and Chief of the Reichs Chancellory.
Dr. Lammers.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2018-P S.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

H1100-0109

TRANSLATION OF DOCUMENT 2049-PS
OFFICE OF U S CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 1189

Second Edict concerning the Reconstruction of the Reich of November 27, 1934.

Zweite Verordnung uber den Neuaufabau des Reichs
Vom. 27 November 1934.

On the basis of Article 5 of the law concerning the reconstruction of the Reich of January 30, 1934 (Reichsgesetzblatt I page 75) it is ordered in agreement with the Prussian Minister-President:

Article 1.

Up to the execution of the reorganization of the Reich the Prussian, Provincial governors (Oberpräsidenten) are in the Provinces over which they have jurisdiction, simultaneously representatives of the Reich government.

Article 2.

The Oberpräsidenten (provincian governors) are empowered to receive instructions from all Reich and federal state authorities as well as from offices supervised by permanent Reich or State public-legal corporations, within the Province, and to call their attention to the authentative viewpoints and the consequently necessary measures as well as affect temporary regulations in case of danger in delay. These rights they may not transfer to their supplementary officials; their representatives may only practice those rights, when the Oberpräsidenten (provincial governors) are hindered not merely for a short time in the observation of the business.

Article 3.

The Reich ministers may in the execution of Reich missions furnish directly with instructions the Prussian provincial governors and council heads (Oberpräesidenten und Regierungspräesidents) without prejudice to the supervision of the Civil Service of the Reich and Prussian Ministers of the Interior.

Berlin, November 27, 1934.

The Minister of Interior for the Reich and Prussia.
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2049-PS

31 October 1945.

I, WILLARD EVANS SKIDMORE, LT(jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2049-PS.

WILLARD EVANS SKIDMORE
LT(jg) USNR
391590.

H1100-0110

H1100-0111

TRANSLATION OF DOCUMENT 2050-PS
Office of U.S. Chief of Counsel.

1919 REICHGESETZBLATT I, p. 383

THE CONSTITUTION OF THE GERMAN REICH
August 11, 1919

DIE VERFASSUNG DES DEUTSCHEN REICHS
VOM 11 AUGUST 1919

The German people, united in their racial elements and impelled by the will to renew and strengthen their Reich in freedom and justice, to serve the ends of peace at home and abroad and further social progress, have established this Constitution.

FIRST PART

STRUCTURE AND FUNCTION OF THE REICH

First Chapter

Reich and Lands.

Article 1.

The German Reich is a Republic. The state power is derived from the people.

Article 2.

The territory of the Reich consists of the territories of the German Member States(Lands). Other territories may be incorporated in the Reich by Reich statute if the inhabitants of such territory, in exercies of the right of self-determination so desire.

Article 3.

The Reich colors are black, red and gold. The merchant flag is black white and red, with the Reich colors in the upper inside corner.

Article 4.

The generally accepted rules of international law are to be considered as binding integral parts of the law of the German Reich.

Article 5..

The state power in respect to matters within the competence of the Reich shall be exercised by the authorities of the Reich on the basis of the Constitution of the Reich; in respect to matters within the competence of the Member States by the authorities of the Lands, on the basis of their respective constitutions.

Article 6.

The Reich shall have exclusive legislative competence for:

1) Foreign affairs(Beziehungen zum Ausland)

2) colonial matters.

3) questions relating to nationality, freedom of travel and residence (Freizügigkeit), immigration, emigration and extradition.

TRANSLATION OF DOCUMENT 2050-PS
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4) the organization of defense forces.

5) coinage

6) customs, as well as the unity of customs and trading areas and freedom of commerce.

7) post and telegraph, including the telephone.

Article 7.

1) civil law

2) penal law

3) judicial procedure, including the execution of penalties and legal aid between authorities (Amtshilfe)

4) matters relating to passports and police supervision of aliens(Fremdenpolizei)

5) poor relief and the care of vagrants.

6) matters relating to thepress, associations and assemblies.

7) policies relating to population(Bevölkerungspolitik), maternity relief, welfare of infants, children and youth.

8) public health, veterinary matters and the protection of plants against disease and pests.

9) labor laws, insurance, and the protection of laborers and employees, and employment bureaus.

10) the establishment of Reich organs of vocational representation(Berufliche Vertretung)

11) provision for war veterans and the surviving dependents of deceased soldiers.

12) laws relating to expropriation.

13) the socialization of natural resources and economic undertakings, and also the production, manufacture, distribution and price regulation of economic wares for the benefit of the general economy.(Gemeinwirtschaft)

14) trade and commerce, weights and measures, the issue of paper money, banks and banking and the stock exchanges(Börsenwesen)

15) traffic in foodstuffs, articles for consumption and luxury, and necessaries of daily life.

16) industries and mining.

17) matters relating to insurance.

18) ocean navigation, deep-sea fishing and coastal fishing.

19) railways, inland navigation, automatice traffic on land, water, and in the air; the construction of highways, insofar as general communication and national defense are concerned.

20) theaters and cinemas.

Article 8.

The Reich shall further legislate in regard to taxation and other revenues, insofar as they are partially or wholly utilized for its own purposes. If the Reich claims such taxes or other revenues for its own purposes as have hitherto been available for the Member States(Lands), the Reich shall taken into consideration the preservation of the life of the Member States.

Article 9.

Insofar as it is necessary to issue uniform rules, the Reich shall legislate for:

1) public welfare

2) the protection of public order and safety.

Article 10.

The Reich may by legislation, establish fundamental principles(Grundsätze) for:

1) the rights and duties of religious associations.

2) educational matters including high schools and scientific libraries.

3) laws relating to officers of all public corporations

4) matters relating to the real-estate laws, distribution of the soil, settlements and homesteads, restrictions attached to landed property, housing and the distribution of the population.

5) matters relating to burial

Article 11.

The Reich may be means of legislation establish fundamental principles concerning the admissibility and mode of:

1) injury to the revenues or commercial relations of the Reich

2) double taxation

3) excessive or obstructional fees for the use of public means of communication, highways, and other facilities.

4) tax discrimination against imported goods in favor of domestic products in inter-state or inter-district commerce, or

5) export premiums,

or in order to preserve important social interests.

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Article 12.

So long as and insofar as the Reich refrains from exercising the right of legislation, the Lands shall retain the right of legislation. This does not apply to matters for which the Reich has exclusive competence of legislation.

The government of the Reich has the right of veto in regard to Lands laws relating to matters within the scope of Article 7, Number 13, insofar as the general welfare of the Reich is thereby affected.

Article 13.

Reich law takes precedence over Lands law.

Where there are doubts or differances of opinion as to whether a legal provision of a Land is compatible with Reich law, the competent Reich or central authorities of a Land may, in accordance with particulars prescribed by the Reich law, appeal for decision to a Supreme Court of the Reich.

Article 14.

The laws enacted by the Lands shall be executed by the authorities of the States, unless the laws of theReich determine otherwise.

Article 15.

The government of the Reich exercises supervision in such matters as are within the legislative competence of the Reich.

Insofar as the laws of the Reich are to be executed by the authorities of the Lands, the government of the Reich may issue general instructions. The government is empowered to send commissioners to the central authorities of the Lands, and with their permission, to the lower state authoriites, to supervise the execution of the laws of the Reich.

It is the duty of the government of the Lands, at the request of the government of the Reich, to rectify defects which have become manifest in the execution of Reich laws. Where differences of opinion arise both the government of the Reich and the government of the Land may appeal for decision to the Constitutional Court (Staatsgerichtshof), unless a different court is prescribed by Reich law.

Article 16.

The officers entruste with direct Reich administration in any Land shall, as a rule, be citizens of that Land. The officers, employees and laborers of the Reich administration shall be employed in thier home districts if they so desire, whenever this is possible and not inconsistent with the requirements of their training or the service.

Article 17.

Each Land must have a republican constitution. The people's representatives must be elected by universal, equal, direct and secret ballot by all German men and women in conformity with the principles of proportional representation. The government of the Land must enjoy the confidence of the people's representatives.

The principles for the elections of the people's representatives apply equally to communal elections. A Land law, however,

may make the right to vote dependent on residence in the communal district for a period not exceeding one year.

Article 18.

The division of the Reich into Lands shall be such as to serve the people to the highest possible economic and cultural attainment, whereby the will of the population affected shall betaken into consideration as far as possible. /The alteration of territory of the Lands and the creation of new Lands within the Reich may be effected by means of a Reich law amending the Constitution.

If the Lands directly affected give their consent, an ordinary Reich law is sufficient.

An ordinary Reich law is also sufficient, if one of the Lands affected refuses consent, but the territorial alteration or the creation of a new Land is demanded by the will of the population and the paramount interests of the Reich.

The will of the population shall be ascertained by plebiscite. The Government of the Reich orders the plebiscite if, in the territory to be separated, one-third of theinhabitants qualified to vote for the Reichstag so demand.

Three-fifths of the votes taken, but at least a majority of the enfranchised voters, are necessary for a resolution to alter a boundary or create a new Land. Even if it is only a question of the disconnection of a part of a Prussian administrative district (Regierungsbezirk), a Bavarian "county" (Kreis) or a corresponding administrative division in other Lands, the will of the population in the whole district affected must be ascertained. If the territory to be disconnected nowhere adjoins the rest of the district, a specific Reich law may declare that the will of the population in the said district is sufficient.

The consent of the population having been ascertained, the government of the Reich shall introduce an appropriate bill for enactment in the Reichstag.

If the unification or disconnection should give rise to a dispute concerning the distribution of property, the Constitutional Court of the German Reich shall decide the same on the application of one party.

Article 19.

Constitutional disputes arising within any Land in which there is no court competent to settle the same, of disputes not governed by private law, arising between different Lands or between the Reich and any Land shall be decided by the Constitutional Courttof the German Reich on the application of one party, unless some other court of the Reich is competent to decide such dispute.

The President of the Reich executes the judgment of the Constitutional Court of the Reich.

Second Chapter

The Reichstag

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Article 20.

The Reichstag is composed of the delegates of the German people.

Article 21.

The delegates represent the whole people. They are subject only to their own conscience and are not bound by instructions.

Article 22.

The delebates are elected by universal, equal, direct and secret ballot by men and women over twenty years of age, according to the principles of proportional representation. The election day must be a Sunday, or a public holiday.

The Reich Election Law will regulate details.

Article 23.

The Reichstag is elected for four years. New elections must take place at the latest on the sixtieth day after this term has run its course.

The Reichstag assembles for the first time at the latest on the thirtieth day following the election.

Article 24.

The Reichstag meets every year on the first Wednesday in November at the seat of the government of the Reich. The President of the Reichstag must summon it earlier if the President of the Reich or at least one-third of the members of the Reichstag so demand.

The Reichstag determines the close of its session(Tagung) and the date of reassembly.

Article 25.

The President of the Reich may dissolve the Reichstag, but not more than once for the same cause.

The new election takes place not later than the sixtieth day after dissolution.

Article 26

The Reichstag chooses its president, his substitutes and its Secretaries.. It sets up its own rules of procedure.

Article 27.

Between two sessions or terms(Wahlperioden) the President and his substitutes of the preceding session continue in their duties.

Article 28.

The President has domiciliary (Hausrecht) and police authority within the Reichstag building. He controls the house administration; he manages the revenues and expenditure of the house in accordance with the budget of the Reich, and represents the Reich in all legal transactions and disputes arising within his administration.

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Article 29.

The Reichstag proceedings are public. They may be held in camera, if, on the motion of fifty members, a two-thirds majority so decides.

Article 30.

Accurate reports of the proceedings are of the public meetings of the Reichstag, the State Diets, and of their committees remain free from all responsibility.

Article 31.

An Election Investigation Court (Wahlprüfungsgericht) shall be established in connection with the Reichstag. It shall also be competent to decide whether a delegate has forfeited his seat.

The Election Investigation Court consists of members of the Reichstag, elected by the latter for the election period and of members of the Reich Court of Administration (Reichsverwaltungsgericht), appointed by the President of the Reich on the proposal of the presidency of the said court.

The decisions of the Election Investigation Court shall be taken after a public oral hearing by three members of the Reichstag and two judicial members.

Outside of the oral proceedings before the Election Investigation Court such affairs shall be managed by a commission of the Reich, nominated by the President of the Reich. In other respects the procedure is regulated by the Election Investigation Court.

Article 32. A simple majority vote is necessary for decisions of the Reichstag, unless the Constitution prescribes a different proportion of votes. The rules of procedure may make exceptions in the case of elections by the Reichstag.

The rules of procedure regulate the question of a quorum.

Article 33. The Reichstag and its committees may demand the presence of the Chancellor of the Reich and of any Minister of the Reich.

The Chancellor and Ministers of the Reich and the commissioners appointed by them have access to the sittings of the Reichstag and its committees. The Lands are entitled to send delegates to these meetings to state the views of their governments on the subject under discussion.

At their request the governmental delegates (Regierungsvertreter) must be heard during the deliberations, in the case of the representatives of the government of the Reich (Vertreter der Reichsregierung), even irrespective of the agenda.

They are subject to the authority of the chairman as regards questions of orders.

Article 34. The Reichstag has the right and--on the application of one-fifth of its members--the duty, of appointing investigation committees (Untersuchungsausschüsse). These committees hear such evidence in public sittings as they or the applicants consider necessary. The public may be excluded from the proceedings by a

two-thirds majority of the investigation committee. The rules of procedure determine the proceedings of the committee and determine the number of its members.

It is the duty of the judicial and administrative authorities to accede to the requests of the said committees in regard to the taking of evidence; the files of the authorities must be submitted to the committees on request.

The provisions of the Code of Criminal Procedure (Strafprozessordnung) are applicable as far as is appropriate to the investigations of the committees and the authorities approached by them; nevertheless, the secrecy of letters, post, telegraph and telephone remains inviolate.

Article 35.

The Reichstag appoints a standing committee for foreign affairs, which may also act when the Reichstag is in recess, and after the parliamentary term has expired, or after the dissolution of the Reichstag, until the new Reichstag meets. The meetings of this committee are not public, unless the committee decides otherwise by a two-thirds vote.

The Reichstag also appoints a standing committee for the maintenance of the rights of the people's representation towards the government of the Reich during the periods of recess, and after the term has expired or the Reichstag is dissolved, until the new Reichstag meets.

These committees have the rights of investigation committees.

Article 36.

No member of the Reichstag or of a Land's Diet may at any time be subjected to criminal or disciplinary prosecution or otherise held responsible outside the house on account of his vote or of remarks made by him in the execution of his functions.

Article 37.

During a session (Sitzungsperiode) no member of the Reichstag or of a Land's Diet may be subjected to investigation or arrested on account of any punishable offense, without the consent of the house to which such a delegate belongs, unless he is arrested in the act of committal or at the latest in the course of the following day.

Similar consent must be obtained for every other curtailment of personal freedom which hinders a delegate in the execution of his functions as representative.

Any criminal proceeding against a member of the Reichstag or a Land's Diet, any detention (Haft) or other curtailment of his personal liberty must be suspended for the duration of the session at the request of the house to which the delegate belongs.

Article 38.

Members of the Reichstag and the Land's Diets are entitled to refuse to give evidence in respect to persons who have confided matters to them in their capacity as delegates or to whom they have given such confidences in the execution of their functions as delegates, as well as in respect to such facts. In respect also to the seizure of documents they have the same status as persons who are entitled by law to refuse to give evidence.

Any search or seizure may only be carried out within the prescincts of the Reichstag or a Land's Diet with the consent of their President.

Article 39.

Public officials (Beamte) and members of the defense forces need no leave for the performance of their functions as members of the Reichstag or a Land's Diet.

If they are candidates for a seat in one of these bodies, the necessary leave must be extended to them to enable them to prepare for their election.

Article 40.

Members of the Reichstag shall have free passes for all German railways and receive a compensation for expenses to be fixed by Reich law.

Third Chapter

The Reich President and the Reich Government

Article 41.

The Reich President is elected by the whole German people.

Every German who has completed his thirty-fifth year is eligible for election.

Details will be regulated by a Reich law.

Article 42.

The Reich President shall, on assuming office, take the following oath before the Reichstag.

I swear to devote my energies to the well-being of the German people, to further their interests, to protect them from injury, to keep the Constitution and the laws of the Reich, to fulfill my duties conscientiously and to administer justice to all.

It is permissable to add a religious asservation.

Article 43.

The Reich President's term of office shall last seven years. Reelection is permissable.

At the request of the Reichstag the President may be deposed from office by plebiscite before his term has expired. A two-thirds majority vote is necessary for such a resolution by the Reichstag.

The resolution has the effect of suspending the Reich President from the further exercise of his office. If the deposition is rejected by the plebiscite, this is regarded as a new election and entails the dissolution of the Reichstag.

The Reich President cannot be prosecuted criminally without the consent of the Reichstag.

Article 44.

The Reich President may not at the same time be a member of the Reichstag.

Article 45.

The Reich President represents the Reich in the sphere of international law. He concludes alliances and other treaties with foreign powers in the name of the Reich. He accredits and receives Ministers (Gesandte).

War is declared and peace concluded by Reich law.

Alliances and treaties with foreign States which relate to matters within the legislative competence of the Reich, require the consent of the Reichstag.

H1100-0119

H1100-0120

Article 46.

The Reich President appoints and dismisses the public officials of the Reich and officers of the defense forces, unless otherwise provided by law. He may allow the right of appointment and dismissal to be exercised by other authorities.

Article 47.

The Reich President has supreme command (Oberbefehl) over all the defense forces of the Reich.

Article 48.

If a Land fails to fulfil the duties incumbent upon it according to the Constitution or the laws of the Reich, the Reich President can force it to do so with the help of the armed forces.

The Reich President may, if the public safety and order in the German Reich are considerably disturbed or endangered, take such measures as are necessary to restore public safety and order. If necessary he may intervene with the help of the armed forces. For this purpose he may temporarily suspend, either partially or wholly, the Fundamental Rights established in Articles 114, 115, 117, 118, 123, 124 and 153.

The Reich President shall inform the Reichstag without delay of all measures taken under Paragraph 1 or Paragraph 2 of this Article. On demand by the Reichstag the measures shall be repealed.

In case of imminent danger the government of any Land may take preliminary measures of the nature described in Paragraph 2 for its own territory. The measures are to be revoked upon the demand of the Reich President or the Reichstag.

Details will be regulated by a Reich law.

Article 49.

The Reich President exercises the right of pardon for the Reich.

Reich amnesties require a Reich law.

Article 50.

All orders and decrees (Anordnungen und Verfügungen) of the Reich President, including those concerning the defense forces, require for their validity the countersignature of the Chancellor of the Reich or the competent Minister of the Reich. By countersignature responsibility is assumed.

Article 51.

The Reich President shall, when prevented from functioning, be represented (vertreten) in the first place by the Reich Chancellor. When such disability is likely to be of long duration, a Reich law shall regulate the question of representation.

The same applies in the case of a premature termination of the Presidency until the new election takes place.

Article 52.

The government of the Reich shall consist of the Chancellor and the Reich Ministers.

Article 53.

The Reich Chancellor and at his proposal the Reich Ministers shall be appointed and dismissed by the Reich President.

Article 54.

The Chancellor and the Reich Ministers require for the exercise of their office the confidence of the Reichstag. Any of them must retire if the Reichstag by express resolution withdraws its confidence.

Article 55.

The Reich Chancellor presides over the government of the Reich and conducts its affairs according to rules of procedure laid down by the government of the Reich and approved by Reich President.

Article 56.

The Reich Chancellor determines the outlines (Richtlinien) of the policy of the State and is responsible to the Reichstag for the same. Within these outlines each Reich Minister conducts the office entrusted to him independently and on his own responsibility towards the Reichstag.

Article 57.

The Reich Ministers shall lay before the Reichstag for deliberation and enactment all bills and all matters for which such a course is prescribed in the Constitution or by law, as well as all differences of opinion in regard to questions within the competence of more than one Minister.

Article 58.

The government of the Reich passes its resolutions by majority vote. In the case of tie votes the chairman has a casting vote.

Article 59.

The Reichstag is entitled to impeach the Reich President, the Chancellor and Reich Ministers for having culpably violated the Constitution or a statute of the Reich before the Constitutional Court (Staatsgerichstshof). The motion for impeachment must be signed by at least one hundred members of the Reichstag and be approved by the majority prescribed for amending the Constitution.

Details will be regulated by the Reich statute concerning the Constitutional Court.

Fourth Chapter

The Reich Council

Article 60.

A Reich Council shall be constituted to represent the German Lands in the legislature and administration of the Reich.

Article 61.

Each Land has at least one vote in the Reich Council. In the case of larger Lands there shall be one vote for every 1,000,000 inhabitants. A surplus, which is equal to at least the population of the smallest land, will be reckoned equal to 1,000,000. No Land may be represented by more than two-fifths of the total number of votes.

H1100-0121

German-Austria, after its union with the German Reich, shall be entitled to participate in the Reich Council with the number of votes proportionate to its population. Until then the representatives of German-Austria may take part in the deliberations.

The number of votes shall be fixed anew by the Reich Council after every general census.

Article 62.

No Land shall have more than one vote on the committees formed by the Reich Council from its own members.

Article 63.

The Lands shall be represented on the Reich Council by members of their governments. But half the Prussian votes shall belong to the Prussian provincial administrations in accordance with a Land law.

The Lands are entitled to send as many representatives to the Reich Council as they have votes.

Article 64.

The government of the Reich must convene the Reich Council on the demand of one-third of its members.

Article 65.

A member of the government of the Reich shall preside over the Reich Council and its committees. The members of the government of the Reich have the right and--if so demanded--the duty of attending the deliberations of the Reich Council and its committees. On their own request they must during the proceedings at any time be heard.

Article 66.

The government of the Reich and each member of the Reich Council are entitled to lay proposals before the Reich Council.

The Reich Council regulates its procedure by rules of procedure (Geschäftsordnung).

The plenary sittings of the Reich Council are public. In compliance with the rules of procedure the public may be excluded for specific subjects of deliberation.

Decisions are taken by a simple majority of those voting.

Article 67.

The Reich Council shall be kept informed by the Reich ministries of the conduct of affairs of the Reich. The competent committees of the Reich Council shall be consulted by the ministries of the Reich with regard to important affairs.

Fifth Chapter

Reich Legislation

Article 68.

Bills are introduced by the government of the Reich or by members of the Reichstag.

Reich laws shall be enacted by the Reichstag.

H1100-0122

Article 69.

The introduction of bills by the government of the Reich requires the consent of the Reich Council. If no agreement is reached between the Reich government and the Reich Council, the Reich government may introduce the bill notwithstanding, but must state the contrary opinion of the Reich Council.

If the Reich Council resolves on a bill not assented to by the government of the Reich, the latter must introduce the bill to the Reichstag, stating its own point of view.

Article 70.

The Reich President shall promulgate (ausfertigen) all constitutionally enacted laws and proclaim them in the Reich's Legal Gazette (Reichsgesetzblatt) within one month.

Article 71.

Reich laws, unless they provide otherwise, come into force on the fourteenth day after the date on which the Reich's Legal Gazette is published in the capital of the Reich.

Article 72.

The proclamation of a Reich law shall be postponed for two months on the demand of one-third of the Reichstag. Laws stated to be urgent by the Reichstag and the Reich Council may be proclaimed by the Reich President notwithstanding such demand.

Article 73.

A law enacted by the Reichstag shall be made the subject of a referendum, if the Reich President so determines within a month.

A law, the proclamation of which has been postponed on the application of at least one-third of the members of the Reichstag, shall be subjected to a referendum, if one-twentieth of the persons qualified to vote so submit.

A referendum shall further be instituted if one-tenth of the persons qualified to vote initiate by petition the introduction of a bill. An elaborated bill must underlie such people's initiative. The bill shall be submitted to the Reichstag by the government together with a statement of its own point of view. No referendum shall take place if the petitional bill is passed unaltered by the Reichstag.

In regard to the budget, taxation laws and laws relating to pay and salaries, only the Reich President may inaugurate a referendum.

A Reich law shall regulate the procedure for referendum and initiative.

Article 74.

The Reich Council is entitled to raise an objection to laws passed by the Reichstag.

The objection must be submitted to the Reich government within two weeks following the final vote in the Reichstag and sustained by reasons at the latest within two further weeks.

When such objection has been raised, the law is again submitted to the Reichstag for redecision. If by this means no agreement is reached between the Reichstag and the Reich Council, the President may, within three months, order that a referendum be taken on the matter in dispute. If the President does not exercise this right, the law is considered not to have been passed.

H1100-0123

If the Reichstag has passed the law in spite of the objection by the Reich Council by a two-thirds majority, then the President must either proclaim the same within three months in the form approved by the Reichstag or order a referendum to be taken.

Article 75.

A referendum can nullify an enactment of the Reichstag only if a majority of those qualified to vote take part in the vote.

Article 76.

The Constitution may be amended by law. But acts of the Reichstag amending the Constitution can only take effect if two-thirds of the legal number of members are present and at least two-thirds of those present consent. Resolutions of the Reich Council also require a two-thirds majority of the votes taken, when an amendment to the Constitution is in question. If on a popular initiative an amendment to the Constitution is to be decided by referendum, the consent of a majority of those qualified to vote is required.

If the Reichstag has passed an amendment to the Constitution in spite of an objection on the part of the Reich Council, the President may not proclaim such law, if within two weeks the Reich Council demands a referendum.

Article 77.

Unless otherwise provided by law the Reich government shall issue the general administrative provisions (Verwaltungsvorschriften) necessary for putting into execution the laws of the Reich. The approval of the Reich Council is required when the execution of the Reich laws is within the competence of the authorities of the Lands.

Sixth Chapter

Reich Administration

Article 78.

The cultivation of the relations with foreign States is exclusively a function of the Reich.

With regard to matters the regulation of which is within the competence of the Lands' legislature, the Lands may conclude treaties with foreign States; such treaties require the approval of the Reich.

Agreements with foreign States relating to any alteration of the boundaries of the Reich are concluded by the Reich, after the consent of the Lands concerned has been obtained. Such boundary alterations may only be undertaken on the basis of a Reich law, unless it is simply a case of adjusting the boundaries of uninhabited districts.

All arrangements and measures necessary for safeguarding the interests of individual Lands arising out of their particular economic relations with or their proximity to foreign States shall be undertaken by the Reich in agreement with the Lands concerned.

Article 79.

The defense of the Reich is a function of the Reich. The defense organization of the German people shall be uniformly regulated by Reich law with due regard to special peculiarities of the inhabitants of the different Lands.

Article 80.

Colonial matters belong exclusively to the competence of the Reich.

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Article 81.

All German commercial vessels constitute one single merchant marine.

Article 82.

Germany constitutes one single customs and trading area surrounded by a customs frontier.

The customs frontier coincides with Germany's foreign frontier line. At the sea the shore of the mainland and of the islands belonging to the territory of the Reich form the customs boundary. Deviations may be ordered for the course of the boundary line along the sea and other waters.

Foreign territories or parts of territories may be joined to the customs area by means of international treaties or agreements.

Portions may be excluded from the customs area to meet particular necessities. In the case of free ports (Freihäfen) such exclusion can only be repealed by a law amending the Constitution.

Districts excluded from the customs area may be joined to a foreign customs area by means of international treaties or agreements.

All products of nature and industry and art which are freely traded within the Reich may be transported over the boundaries of the Lands and Communes into, out of, and through them. Exceptions may be allowed by Reich law.

Article 83.

Customs duties and consumption taxes are administered by the authorities of the Reich.

The authorities of the Reich, when administering taxes of the Reich (Reichsabgaben), shall take steps to enable the individual Lands to safeguard their own particular interests in regard to agriculture, trade, commerce and industry.

Article 84.

The Reich shall provide by law for:

1. the institution of a tax administration of the Lands, insofar as is necessary for the uniform and equal execution of the Reich taxation laws

2. the institution and powers of the authorities entrusted with the supervision of the execution of the Reich taxation laws

3. the accounting with the Lands

4. the reimbursement of the costs of administration in executing the Reich taxation laws.

Article 85.

All revenues and expenditure of the Reich must be estimated for every fiscal year and entered in the budget (Haushaltsplan).

The budget shall be passed by law before the beginning of the fiscal year.

Appropriations are as a rule made for one year; in special cases they may be granted for a longer period. Other provisions in the budget law which legislate for a period beyond the fiscal year, or which have no reference to the revenues or expenditure of the Reich, may not be incorporated in the budget law.

The Reichstag may not increase existing or incorporate new appropriations in the budget bill without the consent of the Reich Counci.

The consent of the Reich Council may be replaced as provided in Article 74.

Article 86.

The Reich Minister of Finance shall, in the course of the year, account to the Reich Council and the Reichstag for the expenditure of all the revenues of the Reich for the preceding year in order to release the government of the Reich from its responsibility. The auditing of this account shall be regulated by Reich law.

Article 87.

Funds may only be obtained by loans in the case of extraordinary requirements and, as a rule, only for the purpose of productive outlay. A Reich law is required for this method of procuring funds as well as for the creation of a charge on the Reich by way of security.

Article 88.

The post and telegraph as well as the whole telephone system are exclusive functions of the Reich.

Postage stamps are uniform for the whole Reich.

Treaties relating to communications with foreign countries may only be concluded by the Reich.

Article 89.

It is a function of the Reich to take over the ownership of railways serving as means of general traffic and to operate them as a uniform system of communications.

The rights of the Lands to acquire private railways shall be transferred to the Reich on demand.

Article 90.

With the transfer of the railways the Reich acquires the right of expropriation and the sovereign state rights (die Staatlichen Hoheitsrechte) of the Lands over the railway systems. The extent of these rights shall be decided in the case of conflict by the Constitutional Court.

Article 91.

With the approval of the Reich Council the government of the Reich shall issue all decrees relating to the construction of railways, their operation and traffic. With the consent of the Reich Council the government may transfer this right to the competent Reich Minister.

Article 92.

The railways of the Reich, although their budget and accounts are incorporated in the general budget and accounts of the Reich, shall be operated as an independent economic enterprise, with the duty of defraying its own expenditure including interest on and amortization of the railway reserve fund. The amount of the amortization and the reserve fund, and the purposes for which the latter is to be utilized shall be regulated by an especial law.

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Article 93.

The government of the Reich with the consent of the Reich Council shall establish advisory councils for the railways of the Reich to assist in an advisory capacity in matters relating to railway traffic and rates.

Article 94.

Once the Reich has taken over the administration of the railroads serving the general traffic of a particular district, new railroads serving general traffic may not be constructed within such district except by or with the consent of the Reich. When new railroad systems or alterations in those already existing are so projected as to fall within the police competence of any Land, the Reich railroad administration shall consult the Land authorities before the decision is taken.

Whenever the Reich has not yet taken over the administration of the railroads, it may construct such railroads on its own account as are deemed necessary for general traffic or for national defense by virtue of a Reich law, even against the protest of the Lands whose territory is to be traversed, but without prejudice to the sovereign rights (Landeshoheitsrechte) of the Lands; or the Reich may entrust another with the execution of such construction, together with the right of expropriation, if necessary.

All railroad administrations must permit the junction of other lines at the latter's expense.

Article 95.

Railways of general traffic not administered by the Reich shall be supervised by the Reich.

Railways under the supervision of the Reich shall be constructed and equipped according to uniform principles determined by the Reich. They must be kept in safe working order and developed as traffic requirements dictate. Service and equipment for passenger and freight traffic shall be maintained in accordance with their requirements.

The supervision of railway rates shall be directed to securing non-discriminatory and moderate charges.

Article 96.

All railways, including those not serving as means of general traffic, must comply with any demands of the Reich for their utilization for the purpose of national defense.

Article 97.

It is the duty of the Reich to take over the ownership and administration of waterways serving the general traffic.

After they have been taken over, waterways serving the general traffic may only be constructed or developed by the Reich or with its consent.

In the administration, development or construction of waterways, the requirements of land and water economy must be safeguarded in agreement with the Lands. Their improvement shall also be taken into consideration.

Every adminstration of waterways must permit the connection of their own with other inland waterways at the expense of the promoter. The same obligation holds for the construction of a connection between inland waterways and railways.

With the transfer of waterways the Reich acquires the right of expropriation, the control of rates and the police survey over the waterways and navigation.

The duties of the river conservancies in respect to the development of the natural waterways in the Rhine, Weser, and Elbe districts shall be taken over by the Reich.

Article 98.

Advisory councils to cooperate in matters concerning Reich waterways shall be formed in compliance with detailed provisions to be issued by the Reich government with the approval of the Reich Council.

Article 99.

On natural waterways charges (Abgaben) may only be collected for such works, plants and other institutions as are designed to facilitate traffic. In the case of Lands and communal institutions they may not exceed the necessary costs, for construction and upkeep. The construction and maintenance costs of institutions not exclusively devoted to the facilitation of traffic but also destined for the furtherance of other purposes, may only be raised in a proportionate degree by shipping charges. Interest and sinking funds on the invested capital are included as costs of construction.

The provisions of the foregoing paragraph apply also to charges collected for artificial waterways and to works erected thereon and in harbors.

Within the sphere of inland navigation the entire cost of a waterway, a river basin or a system of waterways may be utilized for calculating the shipping charges.

These provisions apply equally to the floating of timber (Flösserei) on navigable waterways.

It is within the exclusive competence of the Reich to exact from foreign ships and their cargoes other or higher charges than from German ships and their cargoes.

Article 100.

In order to cover the cost of the maintenance and construction of inland navigation routes, contributions may also by levied by virtue of a Reich law from persons enjoying benefits from the construction of dams in other ways than by navigation, if more than one Land is involved, or the Reich bears the costs of construction.

Article 101.

It is the duty of the Reich to take over the ownership and administration of all marine signal stations, particularly lighthouses, lightships, buoys, floats, and beacons. After the Reich has taken them over marine signal stations may only be constructed or developed by the Reich or with its consent.

Seventh Chapter

The Judiciary (Rechtspflege)

Article 102.

Judges are independent and subject only to the law.

Article 103.

The ordinary judiciary (Ordentliche Gerichtsbarkeit) consists of the Reich Supreme Court (Reichsgericht) and the courts of the Lands.

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Article 104.

The judges of the ordinary judiciary are appointed for life. Against their will they may only be permanently or temporarily suspended from office or transferred to another position or retired by virtue of a judicial decision and only for the reasons and in the form prescribed by law. The legislature may fix an age limit, on reaching which judges shall retire.

A temporary suspension from office as provided by law is not affected hereby.

If a change is effected in the organization of the courts or their districts the judicial administrative authorities of the Lands may order involuntary transfers to another court of removal from office, but only on full pay.

These provisions do not apply to commercial judges (Handelsrichter), lay judges (Schöffen), and jurors (Geschworenen).

Article 105.

Exceptional courts are prohibited. No one may be deprived of the right to be heard by his legally prescribed judge (Gesetzlicher Richter). The legal provisions concerning military courts and courts martial (Standgerichte) are not affected hereby. Military courts of honor are abolished.

Article 106.

Military jurisdiction shall be abolished except in time of war and on men-of-war. Details shall be regulated by a Reich law.

Article 107.

Both in the Reich and in the Lands administrative courts shall be established under the laws for the protection of individuals against decrees and orders of the administrative authorities.

Article 108.

A Constitutional Court shall be established for the German Reich in accordance with a Reich law.

SECOND PART

FUNDAMENTAL RIGHTS AND DUTIES OF THE GERMANS

First Chapter

The Individual Person

Article 109.

All Germans are equal before the law.

In principle men and women have the same civil rights and duties.

Public-legal privileges or disadvantages of birth or of rank are to be abolished.

Titles of nobility shall be regarded merely as part of the name, and may no longer be bestowed.

Titles may only be bestowed when they indicate an office or profession; academic degrees are not affected hereby.

Orders and decorations may not be conferred by the State.

No German may accept titles or orders from a foreign government.

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Article 110.

Citizenship of the Reich and the Lands is acquired and lost in accordance with the provisions of a Reich law. Every citizen of a Land is at the same time a citizen of the Reich.

Every German has in every Land of the Reich the same rights and duties as the citizens of that Land.

Article 111.

All Germans enjoy liberty of travel and residence throughout the whole Reich. Everyone has the right (Freizügigkeit) to sojourn and settle in any place within the Reich, to acquire real estate and to pursue any means of livelihood. Restrictions require a Reich law.

Article 112.

Every German is permitted to emigrate to a foreign country. Emigration may only be restricted by a Reich law.

All citizens of the Reich within and without the territory of the Reich are entitled to the protection of the Reich in relation to foreign countries.

No German may be surrendered to a foreign government for prosecution or punishment.

Article 113.

No laws or administrative orders may prejudice in their free and characteristic development the elements of the population of the Reich whose mother tongue is other than German, especially in regard to the use of their mother tongue in schools, in matters of internal administration, and the administration of justice.

Article 114.

The freedom of the person is inviolable. Curtailment or deprivation of personal freedom by a public authority is only permissible on a legal basis.

Persons who have been deprived of their freedom must be informed at the latest on the following day by whose authority and for what reasons the deprivation of freedom was ordered; opportunity shall be afforded them without delay of submitting objections to their deprivation of freedom.

Article 115.

Every German's home is his sanctuary and is inviolable. Exceptions may only be made as provided by law.

Article 116.

An act can only be punishable if its penalty was fixed by law before the act was committed.

Article 117.

The secrecy of letters and all postal, telegraphic and telephone communications is inviolable. Exceptions are inadmissable except by Reich law.

Article 118.

Every German has the right, within the limits of the general laws, to express his opinions freely in speech, in writing, in print, in picture form or in any other way. No conditions of work or employment may detract from this right and no disadvantage may accrue to him from any person for making use of this right.

Censorship is forbidden, but in the case of moving pictures deviations from this rule may be established by law. Legal provisions are also admissable for combating pornography and obscene publications (Schund und Schmutz Literatur) and for the protection of young persons at public plays and entertainment.

Second Chapter

The General Welfare (Gemeinschaftsleben)

Article 119.

Marriage as the cornerstone of family life and the preservation and increase of the nation is placed under the special protection of the Constitution. It is based on the equal rights of both sexes.

It is the duty of the State and the Communes to foster the purity, health, and social advancement of the family. Families with numerous childred have a claim to proportionate assistance.

Motherhood has a claim to the protection and care of the State.

Article 120.

To provide their children with a thorough physical, spiritual, and social education is the supreme duty and natural right of parents, whose activities shall be supervised by the State.

Article 121.

The same conditions shall be created by law for the physical, spiritual and social development of illegitimate as for legitimate children.

Article 122.

Youth shall be protected against exploitation and also against neglect of their moral, mental or physical well-being. The States and Communes shall make the necessary arrangements.

Compulsory measures for their welfare may only be ordered on the basis of law.

Article 123.

All Germans have the right to assemble peacefully and unarmed without giving notice and without special permission.

A Reich law may make previous notification obligatory for assemblies in the open air, and may prohibit them in the case of immediate danger to the public safety.

Article 124.

All the Germans have the right to form associations or societies for purposes not contrary to criminal law. This right may not be curtailed by preventive measures. The same provisions apply to religious associations and societies.

Every association may become incorporated (Erwerb der Rechtsfähigkeit) according to the provisions of the civil law. The right may not be refused to any association on the grounds that its aims are political, social-political or religious.

Article 125.

The liberty and secrecy of the vote is guaranteed. Details shall be regulated by election laws.

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Article 126.

Every German has the right to address requests or complaints in writing to the competent authorities or to the people's representatives. This right may be exercised individually or by several persons collectively.

Article 127.

Communes and communal unions have the right of self-administration (Selbstverwaltung) within the limits of the law.

Article 128.

All citizens without distinction shall be eligible for public office in accordance with the laws and according to their capabilities and achievements.

All provisions discriminating against women are abolished.

The principles governing the legal status of the public officials shall be regulated by Reich law.

Article 129.

Public officials shall be appointed for life, unless otherwise provided by law. Pensions for retired officials or the surviving dependents of deceased officials shall be regulated by law. The vested rights (Wohlerworbene Rechte) of public officials are inviolable. Legal steps may be taken by public officials for pecuniary claims.

Public officials may be only temporarily suspended from office, temporarily or permanently relieved or transferred to a different office with a lower salary on the conditions and in the form provided by law.

In every case where a disciplinary sentence is pronounced the way must be open for appeal and a new trial. Entries unfavorable to a public official may not be made in his official record until opportunity has been afforded him of expressing his own view of the facts. Public officials shall be permitted to inspect their official records.

The inviolability of vested rights and the competence of the civil courts to adjudicate pecuniary claims are also assured particularly to the regular soldiers (Berufssoldaten). In other respects their position shall be regulated by Reich law.

Article 130.

Public officials are servants of the whole community, and not of a party.

Liberty of political opinion and freedom to form associations is guaranteed to all public officials.

A Reich law shall provide in detail for the special representation of public officials.

Article 131.

If a public official in the execution of the official authority vested in him transgresses his official duty towards a third person, the State or the public body in whose service the officer is, is in principle held responsible. The right of recovery from the officer is reserved. Recourse to the ordinary civil courts may not be excluded.

Details shall be regulated by the competent legislature.

Article 132.

It is the duty of every German to accept honorary offices in accordance with the laws.

Article 133.

It is the duty of all citizens to render personal services to the State and the Commune in accordance with the laws.

The duty of military service (Wehrpflicht) is determined by the provisions of the Reich Defense Law. This shall also stipulate how far single Fundamental Rights of the Constitution shall be restricted in respect to members of the defense forces, in the interest of the fulfilment of their tasks and the maintenance of discipline.

Article 134.

All citizens without distinction contribute to all public burdens in proportion to their means and in accordance with the laws.

Third Chapter

Religion and Religious Associations

Article 135.

All inhabitants of the Reich enjoy full religious and conscientious freedom. The undisturbed exercise of religion is guaranteed by the Constitution and is under state protection. The general state laws are unaffected hereby.

Article 136.

Civil and civic rights and duties are neither contingent upon nor limited by the exercise of religious freedom.

The enjoyment of divil and civic rights and the eligibility for public office are independent of religious belief.

Nobody is obliged to reveal his religious conviction. The authorities are only entitled to ask questions concerning adherence to a religious body insofar as rights and duties are dependent thereon or in pursuance of statistical inquiries prescribed by law.

No one may be compelled to attend any church service or ceremony or to participate in religious exercises, or to take oath in religious form.

Article 137.

There is no State Church.

Freedom to form religious societies is guaranteed. The combination of religious societies within the territory of the Reich is subject to no restrictions.

Every religious society regulates and administers its affairs independently, within the limits of the law, applicable to all. It appoints its officers without the cooperation of the State or the civil community.

Religious societies become incorporated (Erwerben die Rechtsfähigkeit), in accordance with the general provisions of civil law.

Religious societies remain bodies of public law (Körperschaften des öffentlichen Rechts) of this has been their status hitherto. Similar rights shall be granted to other religious societies on their application, if their constitution and the number of their members offer a guarantee of permanency. If several such religious societies as are public bodies unite, this union is also a public body.

Such religious societies as are public bodies are entitled to levy taxes on the basis of the civil tax-roll in accordance with the laws of the respective Lands.

Associations devoted to the common cultivation of a philosophy of life (Waltanschauung) are placed on the same footing as religious societies.

Insofar as the execution of these provisions requires more detailed regulation, this is within the competence of the Lands' legislatures.

Article 138.

State contributions to religious societies based on laws, contract or special legal titles shall be commuted by Lands legislation. The Reich shall establish the principles therefor.

Property and other rights of religious societies and associations in their institutions, foundations, and other properties for cultural, educational, and charitable purposes are guaranteed.

Article 139.

Sundays and public holidays recognized by the State remain under legal protection as days of rest and spiritual edification.

Article 140.

Members of the defense forces shall be allowed the necessary free time for performing their religious duties.

Article 141.

Insofar as there is need for divine service and spiritual consolation in the army, in hospitals, prisons or other public institutions, the religious societies shall be permitted to perform the religious offices, but all compulsion shall be avoided.

Fourth Chapter

Education and the Schools

Article 142.

Art and science and the teaching thereof are free. The State guarantees them protection and takes part in their cultivation.

Article 143.

The education of young persons shall be provided for by means of public institutions. The Reich, Lands and Communes shall cooperate in their establishment.

The training of teachers shall be regulated uniformly for the whole Reich according to the generally recognized principles of higher education.

Teachers in public schools have the rights and duties of state officials.

Article 144.

The whole school system is under the supervision of the State, which may cause the Communes to participate therein. The supervision of schools is exercised by trained expert officials as their occupation-in-chief.

Article 145.

Attendance at school is universily obligatory.

In principle this duty is fulfilled by attending an elementary school for at least eight school years and a connected continuation school (Fortbildungschule) until the completion of the eighteenth year. Instruction and school supplies are supplied free of charge in the elementary and continuation schools.

H1100-0135

Article 146.

The system of public schools shall be organically developed. The intermediate and secondary school system shall built upon the basis of common elementary schools. This system shall be determined by the needs of all kinds of vocations, and for the reception of a child into a particular school, his abilities and inclination shall be the deciding factor, not the economic and social status or the religious confession of his parents.

Within the Communes, however, on the petetion of parents and guardians, popular schools professing their own faith or philosophy of life shall be established, insofar as this does not interfere with an organized school system in the sense, also, of Paragraph 1, supra. As far as possible the will of parents and guardians shall be taken into consideration. Details shall be regulated by Lands legislation based on principles prescribed by a Reich law.

Public funds shall be provided by the Reich, Lands and Communes to make the intermediate and secondary schools available for those possessed of restricted means; in particular shall there be educational grants for the parents for the parents of children looked upon as suitable subjects for instruction in intermediate and secondary schools until their schooling is completed.

Article 147.

Private schools as substitutes for public schools require the approval of the State and are subject to the laws of the Lands. Approval shall be granted when the private schools are not inferior to the public schools as regards their instructional aims and equipment and the scientific training of the teachers, and a separation of the pupils according to the wealth of their parents is not encouraged. The approval shall be refused if the economic and legal position of the teachers is not sufficiently assured.

Private elementary schools shall only be admitted when for those parents or guardians whose wishes are to be regarded under Article 146, Paragraph 2, no public elementary school of their faith or philosophical persuasion exists in their Commune, or if the educational administrative authorities recognize the existence of a particular educational need.

Private preparatory schools shall be abolished.

The existing law shall continue to apply to private schools not serving as substitutes for public schools.

Article 148.

In all schools moral training, a sense of civic responsibility, personal and vocational efficiency in a spirit of national German feeling and international conciliation shall be aimed at.

Care shall be taken that instruction in public schools shall not hurt the feelings of those who differ in opinion.

Civics and manual training form part of the school curriculum. On completing his obligatory schooling every pupil shall receive a copy of the Constitution.

Popular education including popular universities shall be developed by the Reich, Lands and Communes.

Article 149.

Religious instruction forms part of the ordinary school curriculum except in the non-confessional (secular) schools; its form will be regulated by the laws relating to schools. Religious instruction shall be given in conformity with the principles of the religious society concerned, without prejudice to the State's right of supervision.

The imparting of religious instruction and the performance of religious acts is left to the decision of the teacher, while the participation in religious lessons, acts, and ceremonies is a matter for the decision of those who have the right to determine the religious education of the child.

The theological faculties in the universities shall be maintained.

Article 150.

Artistic, historical, and natural monuments and scenery enjoy the protection and care of the State.

It is a function of the Reich to prevent German art treasures from passing to foreign countries.

Fifth Chapter

The Economic Life

Article 151.

The regulation of economic life must be compatible with the principles of justice, aiming at the attainment of humane conditions of existence for all. Within these limits the economic liberty of the individual shall be assured.

Legal compulsion is only admissible for the realization of threatened rights or in the service of preponderant requirements of the common welfare.

Freedom of trade and commerce is guaranteed on the basis of the Reich laws.

Article 152.

As far as the laws allow, there shall be freedom of contract in business intercourse. Usury (Wucher) is prohibited. Legal transactions contra bonos mores are invalid.

Article 153.

Property is guaranteed by the Constitution. Its content and limits are defined by the laws.

Expropriation can only take place for the public benefit and on a legal basis. Adequate compensation shall be granted, unless a Reich law orders otherwise. In the case of dispute concerning the amount of compensation, it shall be possible to submit the matter to the ordinary civil courts, unless Reich laws determine otherwise. Compensation must be paid if the Reich expropriates property belonging to the Lands, Communes, or public utility associations.

Property carries obligations. Its use shall also serve the common good.

Article 154.

The right of inheritance is guaranteed according to the civil code.

The share of the State in inherited property is determined by the laws.

Article 155.

The distribution and utilization of the land shall be supervised by state authorities in a manner to prevent abuse and with the object of ensuring a healthy dwelling to every German and to all German families, especially those with numerous children, living and working quarters in accordance with their needs. War veterans shall be particularly considered in the enactment of homestead laws.

Real estate, the acquisition of which is necessary for housing purposes, for the promotion of settlements and land cultivation or to improve agriculture, may be expropriated. All entails (Fideikommisse) shall be dissolved.

The cultivation and utilization of the soil is a duty owed by the landowner to the community. An increase in the value of land, which arises without the expenditure of work or capital on the property, shall be utilized for the common benefit.

All treasures of the soil and all natural forces of economic utility are under the supervision of the State. Private mining rights (Regale) shall be transferred to the State by legislation.

Article 156.

The Reich may, without prejudice to the right of compensation, by law transfer to public ownership private economic enterprises suitable for socialization, applying thereby analogously the regulations relating to expropriation. The Reich may allot to itself, the Lands or the Communes a share in the administration of economic enterprises and associations or secure to itself a controlling influence therein in some other way.

The Reich may also in case of urgent necessity for socioeconomic interests, by law effect a combination of economic enterprises and associations on the basis of self-administration with the object of securing the cooperation of all working elements of the population, of allowing employers and employees a share in the management and regulating the production, fabrication, distribution, utilization, price fixing, and the importation and exportation of economic goods according to the principles of national economy.

The cooperative industrial and economic associations and their unions (Erwerbs- und Wirtschaftsgenossenschaften) shall at their request be incorporated in the socialized economic system, their constitution and peculiarities being thereby taken into consideration.

Article 157.

The ability to work is under the special protection of the Reich.

The Reich shall create a uniform labor law.

Article 158.

Intellectual labor, the rights of the author, the inventor, and the artist enjoy the protection and care of the Reich.

Recognition and protection in foreign countries also shall be secured to German science, art and technic by means of international agreements.

Article 159.

Freedom of association for the preservation and promotion of labor and economic conditions is assured to everyone and to all vocations. All agreements and measures attempting to restrict or restrain such freedom, are unlawful,

Article 160.

Persons working as employees or laborers are entitled to the leave necessary for the exercise of their civic rights and, insofar as the enterprise is not materially damaged thereby, for performing the duties attached to public honorary offices entrusted to them. The law shall determine to what extent they retain their right to remuneration.

H1100-0137

Article 161.

For the maintenance of health and capacity to work, for the protection of maternity, and for provision against the economic consequences of age, infirmity, and the vicissitudes of life, the Reich shall organize a comprehensive system of insurance, in which the insured persons shall cooperate to a considerable extent.

Article 162.

The Reich shall endeavor to obtain an interstate regulation of the legal status of laborers which shall have as its object the establishment of a general minimum standard of social rights for all working classes of mankind.

Article 163.

Every German has, without prejudice to his personal liberty, the moral duty to utilize his intellectual and physical powers in the interest of the general welfare.

The opportunity of earning his living by economic work shall be afforded to every German. Insofar as suitable work cannot be found for him, he shall be provided with the necessary support. Details shall be regulated by special Reich laws.

Article 164.

The interests of the independent middle classes in agriculture, industry and commerce shall be promoted by legislation and administration and protected from oppression and absorption.

Article 165.

Laborers and employees are called upon to take part on equal terms and together with the employers in regulating conditions of work and wages and also in the general economic development of productive forces. The organizations on both sides and agreements between them shall be recognized.

Laborers and employees shall be legally represented on the Workmen's Councils of the Enterprise, as well as in the District Workmen's Councils (Bezirksarbeiterräten) organized for each economic area and on a Reich Workmen's Council (Reichsarbeiter Rat).

The District Workmen's Councils and the Reich Workmen's Council shall combine with the representatives of the employees and other interested elements of the population to form District Economic Councils (Bezirkswirtschaftsräte) and a Reich Economic Council (Reichswirtschaftsrat) for the purpose of performing all economic tasks and of cooperating in carrying out the socialization laws. The District Economic Councils and the Reich Economic Council shall be so constituted that all important vocational groups are represented thereon in accordance with their economic and social importance.

Social-political and political-economic bills of basic importance shall be submitted to the opinion of the Reich Economic Council by the government of the Reich before being introduced. The Reich Economic Council has itself the right to propose the introduction of such bills. If the government of the Reich does not approve them, it must nevertheless introduce such bills to the Reichstag, stating its own point of view. The Reich Economic Council may have the bill supported in the Reichstag by one of its own members.

Supervision and administrative powers may be conferred on the Workmen's and the Economic Councils within their own spheres of work.

The regulation of the organization and tasks of the Workmen's and the Economic Councils as well as their relation to other social self-governing bodies is exclusively a function of the Reich.

H1100-0139

Transitional and Concluding Provisions

Article 166.

Until the establishment of the Reich Administrative Court (Reichsverwaltungsgericht) the Reich Supreme Court shall take its place in the formation of the Election Investigation Court (Wahlprüfungsgericht).

Article 167.

Article 18, sect. 3 to 6 are valid 2 years after announcement of the Reichs Constitution.

Article 168.

Until, - but only for a year - the Landlaw, considered in Article 63 is issued, all prussian votes in the Reichsrat can be given by the members of the Cabinet.

Article 169.

The Reichs Cabinet, will set the date, when Article 83, sect. 1, becomes valid.

Article 170.

The postal - and telegraph agencies of Bavaria and Würtenberg, will be taken over by the Reich on 1 April 1921 the latest.

If, on 1 Oct 1920, no agreement on the points of the taking over has been reached, the supreme constitutional court will decide.

Until the taking over, the present rights and duties of Bavaria and Würtenberg are in force. The postal amd telegraph traffic with neighboring states of foreign countries, will be regulated by the Reich.

Article 171.

The State Railroads, Waterways and sea-marks (Seezeichen) will be taken over by the Reich on April 1, 1921, the latest.

If on 1 Oct 1920 no agreement on the points of the taking over, has been reached, the Supreme Constitutional Court will decide.

Article 172.

Until the Reich law concerning the Supreme Constitutional Court comes into force, a Senate shall exercise its powers; this Senate shall consist of seven members of which four are chosen by the Reichstag from its own members and three by the Supreme Court of the Reich from its own members. The Senate shall regulate its own procedure.

Article 173.

Until the enactment of a Reich law according to Article 138 the present state contributions to religious societies based on laws, contracts or special legal claims shall be continued.

Article 174.

Until the enactment of the Reich law provided in Article 146, Paragraph 2, the present legal situation shall continue. The law shall take into particular consideration those districts of the Reich in which a school where no distinction of creeds is made is established by law.

H1100-0140

Article 175.

The provision of Article 109 does not apply to orders and decorations to be conferred for merit in the war years 1914-1919.

Article 176.

All public officers and members of the defense forces shall take the oath upon the Constitution. Details shall be regulated by an order of the Reich President.

Article 177.

Where in the existing laws the oath is prescribed in religious form, the oath shall be legally binding if the person taking the same, leaving out the religious formula, declares: "I swear." The content of the oath as prescribed in the laws remains otherwise unaltered.

Article 178.

The Constitution of the German Reich of April 16, 1871, and the laws of February 10, 1918, concerning the provisional government of the Reich, are repealed.

All other laws and orders of the Reich remain in force, insofar as this Constitution is not incompatible with them. The provisions of the Peace Treaty signed at Versailles on June 28, 1919, are not affected by the Constitution. With respect to the negotiations concerning the acquisition of the island of Helgoland a regulation in favor of its inhabitants may be made differing from that of Article 117, Paragraph 2.

Orders by the authorities which have been legally issued in conformity with the present laws, retain their validity until they are repealed by new orders of legislation.

Article 179.

Insofar as laws or orders refer to provisions and institutions which are repealed by this Constitution, the appropriate provisions and institutions of this Constitution shall take their place. In particular, the Reichstag shall take the place of the National Assembly, the Reich Council that of the State Committee (Staatenausschuss), the Reich President elected on the basis of this Constitution that of the Reich President elected on the basis of the law concerning the provisional government of the Reich.

The power, hitherto pertaining to the State Committee, of issuing executive orders is transferred to the government of the Reich, which requires therefor the approbation of the Reich Council in accordance with this Constitution.

Article 180.

Until the meeting of the first Reichstag the National Assembly shall function as Reichstag. The President of the Reich chosen by the National Assembly shall retain his office till 30 June 1925.

Article 181.

The German people have passed and adopted this Constitution by means of their National Assembly. It comes into force with the date of its proclamation.

Schwarzburg, 11 August 1919.

The Reich President

EBERT

The Reich Cabinet

BAUER

ERZBERGER HERMANN MÜLLER DR. DAVID NOSKE SCHMIDT
SCHLICKE GIESBERTS DR. MAYER DR. BELL

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2050-PS

24 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2050-PS.

FRED NIEBERGALL
2nd Lt Inf
0-1335567.

H1100-0141

TRANSLATION OF DOCUMENT 2056-S
OFFICE OF U S CHIEF OF COUNSEL

1938 REICHSGESETZBLATT, PART I, PAGE 1632

Decree concerning the Extension of the Jurisdiction of the Special Courts of 20 November 1938

Verordnung über die Erweiterung der Zuständigkeit der Sondergerichte vom 20. November 1938

On authority of Chapter II of the Sixth Section of the decree of 6 October 1931 (RGBl I, page 537), Article II of the law regarding the reunification of Austria with the German Reich of 13 March 1938 (RGBl I, page 237) and Article 7 of the decree of the Fuehrer and Reich Chancellor regarding the administration of the Sudeten German territories of 1 October 1938 (RGBl I, page 1331), the following order is promulgated:

Article I

In cases of criminal acts which belong to the jurisdiction of the Assizes (Schwurgericht) or of a lower court, the prosecuting authorities can bring the charge before the Special Court, if they believe that in consideration of the gravity or the wickedness of the deed, or the possible arousing of popular excitement, an immediate verdict by the Special Court is advisable.

Article II

(1) Under the same supposition in the state of Austria and in the Sudeten German territories the prosecuting authorities can bring the charge before the Court of Appeal (Oberlandesgericht) in cases of criminal acts which, according to the existing legal procedure in these areas, belongs to the jurisdiction of the Jury Court (Geschworenengericht) or of a lower court. This is decided by the appointment of three professional judges.

(2) For the legal procedure the decree of 21 March 1933 (RGBl I, page 136) is applicable. The Reich Minister for Justice is to be consulted for more precise definitions.

Article III

In the proceedings before the Special Court (Court of Appeals)(Sondergericht (Oberlandesgericht)) the period of time for summons is limited to 24 hours.

Article IV

As long as the main deliberation has not yet begun in cases of Articles I and II, proceedings which are pending in the Assizes (Jury Court) Schwurgericht (Geschworenengericht)) or a lower court at the time this decree enters into effect, are to be referred to the Special Court of the prosecuting authorities so proposed.

Article V

This decree becomes effective on the date of publication.

Berlin, 20 November 1938

The Reich Minister for Justice
Dr Guertner
The Reich Minister of the Interior
Frick

H1100-0142

H1100-0143

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2056-PS

31 October 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2056-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

TRANSLATION OF DOCUMENT 2061-PS
Office of U.S. Chief of Counsel

1934 REICHSGESETZBLATT I, Page 785

Oath of Reich Officials and of German Soldiers.

Gesetz über die Vereidigung der Beamten und der Soldaten der Wehrmacht.
Vom 20. August 1934.

Law on attestation of officials and of soldiers of the Armed Forces, of 20 August 1934.

The Reich's government has enacted the following law which is hereby proclaimed:

Art. 1

The Public officials and the soldiers of the armed forces have to take an oath of service on entering service.

Art. 2

1) The oath of service of public officials will be:
"I swear: I shall be loyal and obediant to Adolf Hitler, the Führer of the German Reich and people; respect the laws, and fulfill my official duties conscientiously, so help me God."

2) The oath ofservice of the soldiers of the armed forces will be:
"I swear by God this sacred oath, that I will render unconditional obedience to Adolf Hitler, the Führer of the German Reich and people, supreme commander of the armed forces, and will be ready as a brave soldier to risk my life at any time for this oath."

Art. 3

Officials already in service are to be given the oath without delay according to Art 2, number 1.

Art. 4

The law on attestation of officials and of soldiers of the armed forces of 1 Dec. 1933 (RGBl. I. P. 1013) and the decree of the second of the same month(RGBl. I. P. 1017) are rescinded.

Berlin, 20 August 1934.

The Führer and Reichschancellor
Adolf Hitler

The Reichsminister of the Interior
Frick.

The Reichsminister of Defense
Von Blomberg.

- -

CERTIFICATE OF TRANSLATION 15 Oct. 1945.
OF DOCUMENT NO. 2061-PS

I, FRED NIEBERGALL, 2nd Lt. Inf. O-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2061-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

H1100-0144

TRANSLATION OF DOCUMENT 2073-PS
OFFICE OF U S CHIEF OF COUNSEL

1936 REICHSGESETZBLATT, PART I, PAGE 487

Decree concerning the Appointment of a Chief of German Police in the Reich Ministry of the Interior of 17 June 1936

Erlass über die Einsetzung eines Chefs der Deutschen Polizei im Reichsministerium des Innern vom 17. Juni 1936

I.

For the unification of police duties in the Reich, a Chief of German Police is instituted for the German Ministry of the Interior, to whom is assigned the direction and conduct of all police affairs within the jurisdiction of the Reich and of the Prussian Ministries of the Interior.

II.

(1) For the Chief of German Police in the Reich Ministry of the Interior, the Deputy Chief of the Secret State Police of Prussia is declared to be Reichsfuehrer SS Heinrich HIMMLER.

(2) He is subordinated individually and directly to the Reich and the Prussian Ministries of the Interior.

(3) In their absence he represents for his jurisdiction the Reich and the Prussian Ministries of the Interior.

(4) He bears the service title: Reichsfuehrer SS and Chief of the German Police in the Reich Ministry of the Interior.

III.

The Chief of the German Police in the Reich Ministry of the Interior shares in the sessions of the Reich Cabinet, insofar as his jurisdiction is concerned.

IV.

I commission the Reich and the Prussian Ministries of the Interior with the conduct of this decree.

Berlin, 17 June 1936

The Fuehrer and Chancellor of the Reich
Adolf Hitler
The Reich Minister of the Interior
Frick

- - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2073-PS

31 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2073-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1100-0145

H1100-0146

PARTIAL TRANSLATION OF DOCUMENT NO. 2076-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1939 Reichsgesetzblatt, Part I, Nr. 24 - distributed on March 22, 1933

(p.136-7) Decree of the Reich Cabinet relating to the formation of special courts of March 21, 1933

(Verordnung der Reichsregierung über die Bildung von Sondergerichten. Vom 21 März 1933)

On the basis of Chapter II of Part 6 of the third decree of the Reich President to safeguard economy and finances and to combat political excesses, of 6 October 1931 (Reichsgesetzblatt I pp. 537, 565, the following is decreed.

Section 1

(1) A special court (Sondergericht) will be created for the district of each court of appeals. (Oberlandesgericht.)

(2) The special courts are courts of the State (Land).

(3) The legal administration of the State (Land) determines the seats of the special courts.

Section 2

The special courts have jurisdiction over crimes and felonies enumerated in the decree of the President of the Reich for the defense of people and state, of 28 February 1933 (Reichsgesetzblatt I, p. 83) and in the decree relating to the defense against insidious attacks against the government of the national revolution (Erhebung), provided that such offenses are not within the jurisdiction of the Supreme Court (Reichsgericht) or court of appeals (Oberlandesgericht)

Section 3

(1) The special courts also have jurisdiction when a crime or felony which is under their jurisdiction fulfills at the same time the specifications of another offense.

(2) If another offense is directly connected with the crime or felony which comes under the jurisdiction of the Special Courts, then the proceedings against the offenders and accessories of the other offense may be instituted in the Special Courts.

(3) The extended jurisdiction pursuant to Paragraphs 1 and 2 does not apply to offenses for which the Supreme Court or the Courts of Appeals (Oberlandesgericht) have jurisdiction.

* * * * * *

Section 7

Proceedings may be instituted also before the Special Court in the district of which the defendant was caught or where he is in custody. The release of the defendant does not affect this jurisdiction once it has been established.

* * * * * *

H1100-0147

PARTIAL TRANSLATION OF DOCUMENT NO. 2076-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Section 9

(1) No hearings relating to the warrant of arrest shall be held.

* * * * * *

Section 11

A preliminary court investigation will not take place. If a preliminary investigation is pending at the time this decree becomes effective, the records are to be transferred at once to the prosecuting official with the Special Court.

* * * * * *

Section 16

(1) No legal remedy is admissible against the decisions of the Special Courts

* * * * * *

Berlin, March 24, 1933

The Reich Chancellor
Adolf Hitler

For the Reich Minister of Justice
The Deputy of the Reich Chancellor
von Papen.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO.2076-PS

18 November 1945

I, TIBOR W. SCHONFELD, AEF Permit No. 51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2076-PS.

TIBOR W. SCHONFELD,
AEF Permit No. 51029.

H1100-0148

TRANSLATION OF DOCUMENT NO.2194-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Berchtesgaden, the 4, September 1938

Note to the Reich Defense Law

1. The Publications of the Reich Defense Law of 4 Sept. 1938, remains suspended.

2. The following laws and cabinet decisions are repeated effective immediately.

A. Reich Defense Law of 21 May 1935.

B. Decision of the Reich Cabinet of 4 April 1933 to form a Reich Defense Counsel.

C. Rectification and completion of 13 Dec. 1934 of the decision of the Reich Cabinet of 4 Apr. 1933.

D. Decision of the Reich Cabinet of 21 May 1935 on activity of the CB in peace times.

The Leader and Reich Chancellory,
(Signed) Adolph Hitler

The Reich Minister and Chief
of Reich Chancellory
(Signed) Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2149-PS

I, A. BREINER, X-046349,Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2194-PS

A. BREINER
Civilian
X-046349

H1100-0149

TRANSLATION OF DOCUMENT 2261-PS
OFFICE OF U.S. CHIEF OF COUNSEL

C O P Y !

The Reichs Minister of War
and Supreme Commander of the Armed Forces
No. 1820/35 Top Secret L. II a

Berlin, 24 June 1.

TOP SECRET

To
The Supreme Commander of the Army
The Supreme Commander of the Navy
The Supreme Commander of the Air Forces

In the appendix I transmit one copy each if the law for the defence of the Reich of the 21 May 1935 and of a decision of the Reichs Cabinet of 21 May 1935 concerning the Reich's defense council. The publication of the Reich's defense law is temperrarily suspended by order of the Fuehrer and Reichschancellor.

The Fuehrer and Reichschancellor has nominated the President of the directorate of the Reichsbank Dr. Schacht to be "plenipotentiary-general for war economy".

I request that the copies of the Reich's defense law needed within the units of the armed forces be ordered before 1 July 1935 at armed forces office (L) where it is to be established with the request that the law should only be distributed down to Corps Headquarters outside of the Reichministry of war.

I point out the necessity of strictest secrecy once more.

(Signed) von Blomberg.

No. 1820/35 L Top Secret II a

Berlin, 3 Sept 1935

To
Defense-Economic Group G-3
copy

transmitted

(signed) Jodl

H1100-0150

C o p y

Reichs' Defense Law
of 21 May 1935

The Reichs Cabinet has enacted the following law that is hereby made public:

Part I State of Defense

ARTICLE 1.

The Fuehrer and Reichschancellor can declare a state of defense for the area of the Reich in case danger of war threatens.

ARTICLE 2.

(1) With the declaration of a state of defense the entire power of execution devolves upon the Fuehrer and Reichschancellor. The Reichsminister of war exercizes it by his orders.

(2) The Reichsminister is empowered in the carrying out of the power of execution to issue legal regulations which may deviate from existing laws. He can, in order to enforce his regulation, threaten punishments and set up special courts.

ARTICLE 3.

(1) The Reichsminister care to observe the instructions of the Reichsminister of war. They remain the highest Reich authorities with their realm of activity.

(2) The Reichsminister will in case of a state of defense effect the necessary measures and are empowered to issue legal regulations which may deviate from existing laws.

Part II Mobilization

ARTICLE 4.

(1) If conflict with an external enemy becomes unavoidable, the Fuehrer and Reichschancellor can order mobilization.

(2) The ordering of mobilization includes in itself the declaration of a state of defense according to Part I, in case the latter is not already proclaimed, without projudice to the directive of Article Six.

(3) With the ordering of mobilization a state of war in the definit of this law begins.

ARTICLE 5.

The Reichsminister will effect the necessary measures in case of mobilization and are empowered to issue legal regulations which may deviate from existing laws.

H1100-0151

TRANSLATION OF DOCUMENT 2801-
OFFICE OF U.S. CHIEF OF COUNSE
(cont'd)

ARTICLE 6.

(1) The Fuehrer and Reichschancellor will appoint a plenipotentiary-general for war economy to direct the entire war economy.

(2) It is the task of the plenipotentiary-general for war-econo to put all economic forces in the service of carrying on the war and to secure the life of the German people economically.

(3) Subordinate to him are:

The Reichsminister for economy
The Reichsminister for food and agriculture
The Reichs labor minister
The Reichs forest master and all Reichs' agencies immediate subordinate to the Fuehrer and Reichschancellor.

Furthermore the financing of the war effort, (in the provinc of the Reichs finance ministry and of the Reichsbank) will be carried on under his responsibility.

(4) The plenipotentiary-general for war economy is authorized, within his realm of responsibility, to issue legal regulations, which may deviate from the existing laws.

Part III Setting of penalties and Conclusions

ARTICLE 7

Whoever purposely or carelessly acts in violation of a decree issued by authority of this law will be, insofar as a severer punishment is not stipulated according to other directives, punished with jail and with fine or with one of these penalties.

ARTICLE 8.

The Fuehrer and Reichschancellor will issue the necessary legal and administrative directives for carrying out of this law.

Berlin, 21 May 1935

The Fuehrer and Reichschancellor
(signed) ADOLF HITLER
The Reichsminister of war
(signed) VON BLOMBERG
The Reichsminister of the Interi
(signed) FRICK

Note
on the law for the defense of the Reich
of 21 May 1935

The publication of the law for the defense of the Reich of 21 May 1935 will be suspended. The law became effective 21 May 1935.

The Fuehrer and Reichschancellor
(signed) ADOLF HITLER

H1100-0152

Copy.

Copy. Decision of the Reichscabinet of 21 May 1935
on the Council for the defense of the Reich.

Supplementing the decision of the Reichscabinet of 4 April 1933 and 13 Dec 34 on formation of a council for defense of the Reich, the Reichscabinet has made the following decision:

1.) The plenipotentiary-general for war economy appointed by the Fuehrer and Reichschancellor will begin his work already in peacetime. At the suggestion of the chairman of the Council for the defense of the Reich, he will direct the economic preparations for war, insofar as they do not, in reference to the armament industry fall into the province of the Reichs' Ministry of war. In case of mobilization the following are subordinate to him:

Reichsministry of economic affairs
Reichsministry for food and agriculture
Reichsministry of Labor
Reich's forest-master and all Reichsoffices immediately subordinate to the Fuehrer.

In case of mobilization he will direct and be responsible for the financing of the war effort (in the province of the financeministry and the Reichsbank).

These ministries and the Reich's authorities are bound already in time of peace to observe his recommendations for the preparation of a war economy and the financing of the war-effort.

2.) The Reichsminister of War and the plenipotentiary for war economy will effect the preparations for mobilization in closest cooperation on both sides.

3.) The plenipotentiary-general for war-economy will be a permanent member of the Reich Defense Council (Reichsverteidigungsrat). Within the working committee he represents through his leadership staff the interests of war economy. The department heads (Referenten) for the defense of the Reich of the Ministries mentioned in Point I are bound by the recommendations of this leadership staff.

Foundation:

The State of War, an institution of the old law, as it was established in the old Reichsconstitution of 1871, the Prussian law on the state of siege of 4 June 1861 and the Bavarian law on the state of war of 5 Nov 1912, has been only incompletely replaced in Article 48 of the Reichsconstitution of II August 1919. Moreover, the provisions of Article 48 no longer correspond to the actual legal conditions.

The new law for the defense of the Reich should create clear legal bases for the transfer of the whole machinery of state from a state of peace to one of war. In this connection it was to be noted that a state of war can begin unexpectedly or from a state of foreign political tension. Since the time of such tension must be utilized as far as foreign political relations will bear, it in order to create a readiness for war in time, the law for the defense of the Reich provides two steps for the transfer from state of peace to state of war:

1. The state of defense
2. The mobilization

For both steps of war preparation, the law gives the legal basis, upon whichthe individual measures of the Reichsdepartments can be built up as the council for the defense of the Reich instructs.

It is to be mentioned in regard to the provisions of the law in detail:

To Article 2

The exercise of the power of execution by the Reichminister of war under the Führer and Reichschancellor should emphasize the pressing necessity of all demands of the immediate conduct of the war and should guarantee their fulfillment.

To Article 4, Section 3

In numerous laws speical provisions for war are contained. It is therefore necessary, to establish the beginning of a state of war, in respect to times in order to create clear conditions for the administration of justice etc. Since, however, in a future war official declarations of war are not to be expected, as a result of which Article 42 Section 2 of the Reichsconstitution also is obsolete, the beginning of a state of war is to be considered as being at the same time as the beginning of the mobilization.

To Article 6

The experiences of the great war have demonstrated the necessity of including during a war the entire economy and the financing ofthe conduct of the war under unified leadership. The plenipotentiary-general for war-economy should according to the will of the Führer and Reichschancellor take over the responsible leadership and stands thereby independently along side the Reichsminister of war, the possessor of the power of execution, and responsible for his realm of activity under the Führer and Reichschancellor.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2231-PS

28 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a correct and true translation of Document No. 2231-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1100-0153

TRANSLATION OF DOCUMENT 2326-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1936 REICHSGESETZBLATT, PART I, PAGE 893

Reich Principles Regarding Recruiting, Appointment, and promotion of Reich and Provincial Officials, October 14, 1936.

Reichsgrundsätze über Einstellung, Anstellung und Beförderung der Reichs- und Landesbeamten. Vom 14, Oktober 1936.

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* * * *

PROMOTION

Article 8

Only that official can be promoted who, besides absolutely fulfilling his general duties;

a) In consideration of his former political attitude offers absolute guarantee therefor, and has proved since January, 30, 1933, that he takes the part of the National Socialist State at all times and represents it effectively.

b) Has given documentary proof that he and his spouse are of German or related blood (Article 1 a. paragraph 3 of the Reich officials law).

c) In his official achievements and abilities, completely fulfills the demands of the higher office. Length of service alone does not justify promotion in any case.

* * * *

Berchtesgaden, 14 October 1936.

The Fuehrer and Reich Chancellor

ADOLF HITLER

The Reich Minister of Interior
FRICK

For the Reich Minister of Finance
REINHARDT
The Deputy of the Fuehrer
R. HESS
Minister without Portfolio

- - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2326-PS

1 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2326-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-1335567.

H1100-0154

PARTIAL TRANSLATION OF DOCUMENT NO. 2340-PS
OFFICE OF U. S. CHIEF OF COUNSEL

German Civil Service Law of January 26, 1937, Reichsgesetzblatt; Part I, N.7, p.52 of 27 January 1937

(d.) Political reasons

Section 71

(1) The Fuehrer and Reichskanzler may retire an official (civil servant) for lifetime or for a period at a suggestion made by the highest department in agreement with the Reichsminister of the Interior, if there is no guaranty that this official would abide forever by the principles of the National-Socialist State.

(2) The facts justifying such a proposition have to be proved by an investigation in the course of which witnesses and experts may be questioned under oath and an official report has to be received.

Signatories: The Fuhrer and Reich Chancellor,
Adolf Hitler

The Reich Minister of the Interior,
Frick

The Reich Minister of Finance,
Graf Schwerin von Krosizk

16 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2340-PS

I, Tibor W. Schonfeld, AEF, Permit No. 51029, hereby certify that I am thoroughly conversant with the English and German languages: and that the above is a true and correct translation of the indicated excerpt from Document No. 2340-PS.

Tibor W. Schonfeld
AEF, Permit No. 51029

H1100-0155

PARTIAL TRANSLATION OF DOCUMENT NO. 2341-PS
OFFICE OF THE U.S. CHIEF OF COUNSEL

1939 Reichgesetzblatt No. 38 of 2 March 1939, p.371

Decree on the education and careers of German officials of 28 February 1939

(Verordnung über die Vorbildung und die Laufbahnen der deutschen Beamten.

vom 28, Februar 1939)

Par. 2.

The applicants must belong or have belonged to the party or one of its formations. In the selection the personal aptitude and character are decisive. Honorably discharged workers and soldiers (cf. par. 16 (1) and par. 17 of the decree on the care for soldiers and workers in the form of 29 Dec 1937 - RGBl. I, p.1447) and children of child-rich families have preference. For pension applicants the special decrees apply.

CERTIFICATE OF TRANSLATION OF
DOCUMENT NUMBER 2341-PS

18 November 1945

I, Pfc Ernst M. Cohn, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document Number 2341-PS.

ERNST M. COHN
Pfc, 33925738

H1100-0156

TRANSLATION OF DOCUMENT 2342-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1936 REICHSGESETZBLATT, PART I, PAGE 369

Law on the People's Court and on the 25th change of the Pay Law

of

18 April 1936

Gesetz über den Volksgerichtshof und über die fünf- und zwanzigste Änderung des Besoldungsgesetzes
vom 18. April 1936

The Reich Cabinet (Reichsregierung) has passed the following law which is hereby promulgated:

CHAPTER I

ARTICLE 1

The People's Court is a regular court in the sense of the law on judicial organization.

ARTICLE 2

The People's Court is comprised of one president and the necessary number of presidents of the senate and councillors as main official members (hauptamtlichen Mitgliedern).

ARTICLE 3

The President, the presidents of the senate and the councillors are appointed for lifetime. They have to be qualified for the judge's office and must have completed their 35th year of age.

ARTICLE 4

The honorary members of the People's Court are appointed by the Fuehrer and Reichs Chancellor for the duration of 5 years upon recommendation of the Reich Minister of Justice.

ARTICLE 5

Senates are formed at the People's Court, the number of which is determined by the Reich Minister of Justice.

ARTICLE 6

If it is necessary to secure a lawful course of affairs, permanently employed judges may be called in temporarily as assistant judges to the People's Court in case of an accumulation of business. The delegation of an assistant judge may be called off before the end of this time, for which the assistant judge has been called in, only if the emergency, by which it was caused, does no longer exist.

ARTICLE 7

The office of the public prosecutor at the People's Court is executed by one or several Reich prosecutors or State prosecutors. They are non-judicial officials, must however be qualified for the judge's office.

ARTICLE 8

At the People's Court an office will be established which will be filled with the necessary number of recording officials.

H1100-0157

CHAPTER II

ARTICLE 9

The Reich pay law of 16 December 1927 (RGBL I, p.349) will be changed as follows:

1. To the pay order A will be added:

   a) in paygroup 1b after "directors of lower courts[1])": "Chief State Prosecutors at the People's Court[1])";

   b) in paygroup 10a after "sergeant of the German Supreme Court" (Reichsgerichtswachtmeister"): "sergeant of the People's Court (Volksgerichtswachtmeister).

2. To the pay order B will be added:

   a) in paygroup 3b under section "Reich-Ministry of Justice" before "president of the highest court of justice"(Kammergerichtspräsident) "President of the People's Court";

   b) in paygroup 6 under section "Reich Ministry of Justice" after "senate president at the German Supreme Court[1])":
   "Senate president at the People's Court Reich prosecutor as head of the State prosecutor's office at the People's Court[1])"
   and in note 1 after "German Supreme Court": and at the People's Court as well as the Reich prosecutor as head of the State prosecutor's office at the People's Court";

   c) in paygroup 8 under section "Reich Ministry of Justice" before "President of District Courts at Courts with 60 or more organic (planmäszig) judges in the district":
   "Councillors at People's Courts".

ARTICLE 10

1. Of the positions pointed out in the budget of the Reich Ministry of Justice for the financial year of 1935 (individual plan IX) at Chapter 2 (German Supreme Court) the following positions are transferred to Chapter 2a (People's Court):

Group B 7:	1 Reich prosecutor
Group A 2b:	2 Chief State prosecutors
Group A 2d:	4 senior judges in lower courts of justice (3 of which to be transformed in future)
Group A 4b:	3 Chief inspectors of the government
Group A 4c:	2 inspectors of the Government
Group A 7:	3 secretaries
Group A 10:	3 sergeants of the German Supreme Court (Reichsgerichtswachtmeister).

2. In the budget of The Reich Ministry of Justice (Individual Plan IX) the following organic positions will be newly created in Chapter 2a (People's Court):

Group B 3b:	1 President of the People's Court
Group B 6:	2 senate presidents at the People's Court, 1 Reich prosecutor (under transformation of the Reich prosecutor's position of Group B7 transferred from the German Supreme Court). They receive an irrevocable extra pay of 1000 R.M. which can be added to the base pay for purpose of pension (pensionsfähige).
Group B 8:	6 Councillors at the People's Court
Group A 1b:	2 Chief State prosecutors at the People's Court

H1100-0158

Group A 2b: 2 Chief State prosecutors
Group A 10a: 1 Chief Messengers' Overseer. He receives extra pay for this position of 300 R.M. which can be added to the base pay for purpose of pension (pensionsfähige) and is irrevocable.
5 sergeants of the People's Court (under transformation of 3 positions of sergeants of the German Supreme Court taken over from the German Supreme Court.

CHAPTER III

In as far as laws or other regulations refer to the Chief Reich Prosecutor as authority of indictment at the People's Court, his place will be taken by the Reich prosecutor at the People's Court.

CHAPTER IV

The Reich Minister of Justice will issue the legal and administrative regulations necessary for the execution of this law.

CHAPTER V

(1) This law shall take effect as of 1 April 1936.

(2) The honorary members of the People's Court appointed on the basis of the former regulations continue to remain in office according to their appointment hitherto. The same holds good with regard to members who have to be qualified for the judge's office. On 31 October 1936 however those are being eliminated who will not have been appointed up to this date to main official members of the People's Court.

(3) If members of the German Supreme Court and Reich prosecutors are being transferred to the People's Court up to 1 April 1937, they will receive in case of their being retired at least the pension to which they would have been entitled if they had remained in their former positions at the German Supreme Court.

Berlin, 18 April 1936.

The Fuehrer and Reich Chancellor
Adolf Hitler

The Reich Minister of Justice
Dr. Gürtner

The Reich Minister of Finances
Count Schwerin von Krosigk

The Reich War Minister and Supreme Commander of the Armed Forces
von Blomberg

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2342-PS

2 November 1945

I, FRED NIEBERGALL, 2nd Lt., Inf., 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2342-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
0-1335567.

H1100-0159

H1100-0160

TRANSLATION OF DOCUMENT 2355-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1938 REICHSGESETZBLATT, PART I, PAGE 258

Second Law on the Right to Vote for the Reichstag,
18 March 1938.

Zweites Gesetz über das Reichstagswahlrecht. Vom 18. März 1938.

The government of the Reich has decided to pass the following law which is proclaimed herewith:

Article 1

The electoral list for the Reich shall replace the electoral list for the Kreise.

Article 2

One or more candidates may be nominated on the electoral list for the Reich.

Article 3

For the elections to the Reichstag in Austria, the same general rules which are valid for the elections to the Reichstag apply, inasmuch as the requirements of the plebescite in Austria of 10 April 1938 do not necessitate different regulations.

Article 4

The Reich Minister of the Interior is authorized to change the orders on the procedure of the elections as much as may be necessary, in order to simplify this procedure.

Berlin, 18 March 1938.

The Führer and Reich Chancellor
ADOLF HITLER

The Reich Minister of the Interior
FRICK

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 2355-PS

1 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2355-PS

FRED NIEBERGALL
2nd Lt. Inf.
O-1335567

H1100-0161

TRANSLATION OF EXCERPT OF DOCUMENT 2378-PS
OFFICE OF U.S. CHIEF OF COUNSEL

From: Documents of German Politics

(DOKUMENTE DER DEUTSCHEN POLITIK)

edited by

REGIERUNGSRAT PAUL MEIER-BENNECKENSTEIN

PRESIDENT OF THE UNIVERSITY

FOR POLITICAL SCIENCES

Published 1938

Junker & Dunnhaupt, Berlin

TRANSLATION OF EXCERPT OF DOCUMENT 2378-PS
OFFICE OF US CHIEF OF COUNSEL

Excerpt page 207, line 9 - 17

Since 30 January 1934 there has been but one executive power in Germany, namely that of the Reich regardless of the fact that the Reich has left the execution of the sovereign rights to the Provincial Administrations (Landesbehörden), as stipulated in the first provision for the execution of the law on the reconstruction (Neuaufbaugesetz) from 2 February 1934; for thru it the provincial administrations were granted the authority for the execution of the sovereign rights merely in the name and as deputies of the Reich. Therefore, they do not possess an in dependent executive power but only one that is de legated by the Reich. The loss of the sovereign rights of the provinces (Länder) is in no war limited but complete.

Page 337, line 1 - 22

58. Principles of the Reich - Justice - Leader (Reichsrechtsführer).

Dr. Frank, concerning the position Judges in the National Socialistic State and before the National Socialistic Law from 14 January 1936.

1.) The judge is not placed as a sovereign representative of the State (Hoheitsträger des Staates) above the citizen but is a member of the living community of the German people. It is not his duty to play a part in executing a law, impose up on the community of the people or to bring to life conceptions of generally regoniyed values but to safeguard the very definite order of the national community (die Konkrete völkische Gemeinschaftsordnung), to eliminate dangerous elements, persecute all acts which harm the community, and to straighten out any differences between the members of the community.

2.) The National Socialist ideology is the foundation if all basic laws (Reichsquellen) especially as explained in the Party-Program and in the speeches of our Führer.

3.) The judge has no veto right (Prüfungsrecht) concerning decisions made by the Führer were and issued in the form of a law or a decree. The judge is also bound by any other decisions of the Führer, insofar as thru them the will to establish Justice is unequivocally espressed.

4.) Legal decrees which were issued before the time of the National Socialistic Revolution, are not to be applied if their use would mean a slap in the face of today's healthy feeling on the part of the people (dem heutigen gesunden Volksempfingen). For those cases in which the judge does the afore mentioned refer to decree - basing his attitude on argumentation - a possibility to bring about the decision of the highest legal authority must be found.

H1100-0162

5.) In order to carry out his duties efficiently within the community of the people, the judge has to be independent. He is not bound by instructions. In dependence and dignity of the judge make it necessary, to secure adequate protection against any attempt to influence him or against any unjustified attacks.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2378-PS

13 November 1945

I FRED NIEBERGALL, 2nd Lt.Inf., 01335567, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document 2378-PS.

FRED NIEBERGALL
2nd Lt.Inf.
01335567.

H1100-0163

H1100-0164

PAG I

PARTIAL TRANSLATION OF DOCUMENT 2380-PS
OFFICE OF U S CHIEF OF COUNSEL

National Socialist Year Book 1935

published with the co-operation of the Reichsleitung
of the N.S.D.A.P.
by
Reichsleiter
PHILIPP BOUHLER
Reich business manager of the N. S. D. A. P.

NATIONAL SOCIALISTISCHES JAHRBUCH 1935

herausgegeben unter Mitwirkung der Reichsleitung
der N.S.D.A.P.
von
Reichsleiter
PHILIPP BOUHLER
Reichsgeschaeftsfuehrer der N.S.D.A.P.

Central Publishing House fo the NSDAP, Franz Eher Succ.
MUNICH - BERLIN

Zentralverlag der NSDAP Franz EHER Nachf.,
MUENCHEN - BERLIN.

(Page 212)

It was reserved for the nationalsocialist revolution of 1933, for the first time in German history to introduce the construction of a unified German state. Adolf Hitler never left any doubt from the first days of his political activity that he considers the first mission of Nationalsocialism to create a German Reich in which the will of the people can be directed in to one direction, and in which the entire strength of the people can be put into the scales even toward the outside.

(Page 213 - 214)

The relationship between the Reich and the states has been put on an entirely new basis, never known in the history of the German people. It gives to the Reich cabinet (REICHSREGIERUNG) unlimited power, it even makes it its duty, to build a completely unified leadership and administration of the Reich. From now on, there is only one national authority: The one of the Reich! Thus, the German Reich has become a unified state, and the entire administration in the states in only carried out by order or in the name of the Reich. The state borders are now only administration, technical are boundaries but no longer boundaries of sovereignty!

In calm determination, the Reich cabinet (REICHSREGIERUNG) realizes step by step, supported by the confidence of the entire German people, the great longing of the Nation. The creation of the nationalsocialist German, unified state.

(Page 223 - 224)

Actually one cannot speak of an activity of the nationalsocialists in the Reichstag since the new election of 12 Nov 1933. The Fuehrer and people's Chancellor has coupled this last, overwhelming demonstration of popular will with a foreign-political measure, which, so to say, was long overdue, namely the withdrawal of Germany from the League of Nations, which absolutely does not want to be anything else than a willing organ of the "victor nations", mainly France and her vassals, and who refuses, to honor the accepted disarmament obligation on the basis of absolute equality for Germany.

PARTIAL TRANSLATION OF DOCUMENT 2380-PS
Cont'd

To take away the possibility from the member nation of the league, interested in the continuation of existing conditions, to say, that Hitler's cabinet did not act with the agreement of the majority of the German people, the REICHSPRASIDENT dissolves the Reichstag and with the new election, the electorate was especially asked, whether it agreed to the foreign political positions of the government or not . Some 42 million voters or 95% of the entidty made the government's position their own, and almost 40 millions or 90% the electorate voted for the list of nominees of the N.S.D.A.P. 661 delegates, who all are members or guests of the nationalsocialist faction, entered the Reichstag. However, there were no other lists of nominees than the one of the N.S.D.A.P.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2380-PS

11. November 1945

I, WILLIARD EVANS SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and the German languages; and that the above is a true and correct translation of Document no. 2380-PS.

WILLARD EVANS SKIDMORE
Lt. (jg) USNR
391590

H1100-0165

H1100-0166

PARTIAL TRANSLATION OF DOCUMENT 2381-PS
OFFICE OF U S CHIEF OF COUNSEL

Translation of Extract from the book:

"DER GROSSDEUTSCHE REICHSTAG"
(The Parliament of Greater Germany.)

IV WAHLPERIODE (Fourth Electoral Period)
From 10 April 1938 extended until 30 January 1947.

Published in November 1943
by the R.v.Decker's Verlag G. Schenck Publishing House in Berlin

Biographies of Members of the Parliament of Greater Germany
(Lebensbeschreibungen der Mitglieder des Grossdeutschen Reichstags)

Page 211.

Frick, Wilhelm; Dr. jur., Reichsleiter, (Member of Nazi Party Executive Board), Reich Minister, Reich Protector of Bohemia and Moravia, Privy Councillor for Prussia; 74, Wilhelmstrasse, Berlin W 8 and The Citadel, Prague. Service Command 12, (Thuringia.)

Born on 12 March 1877 in Alsenz; Protestant. Attended elementary school and High School (gymnasium) in Kaiserslautern, studied Law in Munich, Göttingen and Berlin from 1896 to 1900, took the degree of Dr. jur. in Heidelberg in 1901, Law practitioner for Bavaria in Kaiserslautern from 1900 to 1903, Regierungsakzessist to the Government of Upper Bavaria and official attorney to the Police Administration (Polizeidirection) in Munich from 1904 to 1907, assessor to the District Government in Pirmasens from 1907 to 1917, assessor to the Government and high bailiff to the Police Administration in Munich from 1917 to 1925, from 1926 to 1930 with the Main Insurance Bureau (Oberversicherungsamt) in Munich. From 23 January 1930 until 1 April 1931 Minister for the Interior and for Education for Thuringia. Since 1 January 1932 councillor to the government in the Main Insurance Bureau, from 30 January 1933 to August 1943 Reich Minister of the Interior. Appointed Reich Protector of Bohemia and Moravia in August 1943. On 1 April 1924 sentenced to imprisonment for a year and three months by the People's Court in Munich for having taken part in the National Revolution of November 1923. Member of the Reichstag since the 2nd Electorat Period 1924. Leader of the National Socialist Party in the Reichstag.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2381-PS

29 November 1945.

I, PAUL W. FREEDMAN S/Sgt., 33799122, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct partial translation of Document No. 2381-PS.

PAUL W. FREEDMAN
S/Sgt., 33799122

PARTIAL TRANSLATION OF DOCUMENT 2382-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1924 REICHSGESETZBLATT, PART I, No. 18, pp 159-162 of 8 March 1924

LAW RELATING TO THE REICH ELECTION

REICHSWAHLGESETZ

Section 15

A leader of the constituency and a substitute are appointed for each constituency.

The lists of the constituency are to be presented to the leader of the constituency at the latest on the seventeenth day prior to the election.

The lists of the constituency are to be signed by at least twenty voters. The names of the candidates are to be arranged in an easily recognizable order of succession.

Only a person who has expressively agreed to it can be included in the election-list. The written agreement has to be presented to the leader of the constituency at the latest on the seventeenth day prior to the election-day; otherwise the name of the candidate will be taken off the list.

A candidate may be nominated only once for the single constituency.

Section 17

Election lists for the Reich may be presented to the leader of the election for the Reich at the latest on the fourteenth day prior to the election. They are to be signed by at least twenty voters. The names of the candidates have to be arranged in an easily recognizable order of succession.

A person can be included in the election-list only after having expressed agreement to it. The written agreement has to be delivered to the office of the leader of the Reich-election at the latest on the fourteenth day prior to the election: otherwise the candidate will be taken off the list. One candidate may be nominated in one Reich-election-list only. Nomination in an election-list for the Reich does not exclude nomination in an election list of the constituency if the declaration pursuant to Section 19 applies to this election list for the Reich.

Section 18

In each list of the constituency and Reich-election list a trustee and a substitute have to be designated who shall be authorized to make statements to the leader of the constituency and the election-committee, in the Reich-election-list to the leader of the Reich-election and the committee of the Reich-election. In the absence of such a designation the first signatory of the list is considered trustee and the second his substitute.

Section 19

Concerning the lists of the constituency the trustees or their substitutes may provide that remainder votes (insufficient number of votes to elect a candidate) [illegible] of the constituencies are to be added to a Reich-election list (AnschluBerklaerung). A statement to that effect has to be presented to the leader of the constituency at the latest on the eighth day prior to the election day. Otherwise these remainder votes cannot be counted for the Reich-election.

Section 30

The number of seats of representatives assigned to each list of the constituency is such that one representative will be appointed for every 60,000 votes. Votes, the number of which is not sufficient for the assignment of one or another seat of representatives (remainder-votes) shall be turned over to the committee of the Reich-election to be used there.

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H1100-0168

TRANSLATION OF DOCUMENT 2383-PS
OFFICE OF U S CHIEF OF COUNSEL

Verfuegung, Anordnungen, Bekanntgaben Vol. I

Ordinance for the execution of the decree of the Fuehrer concerning the position of the Head of the Party Chancellery. of 16 Jan. 1942.

On the basis of the decree of the Fuehrer concerning the position of the Head of the Party Chancellery of 29 May 1941 (Reich Laws, vol. I, page 295) the following is enacted:

I

1) The cooperation of the party in lawmaking results exclusively through the Head of the Party chancellery, insofar as the Fuehrer does not prescribe something else. Also proposals and incentives for lawmaking from the party, its branches and affiliated organizations may be forwarded only through the Head of the Party Chancellery to the proper Supreme Offices of the Reich.

2) In the same way the cooperation of the party in processing of the personnel records of officials results exclusively through the Head of the Party Chancellery.

II

In every case the Head of the Party Chancellery has the position of a participating Reich minister in the work of lawmaking. He is therefore to be granted permission from the outset by the Supreme Offices of the Reich in preparation of the Reich laws, of decrees and ordinances of the Fuehrer, of ordinances of the Ministerrat for national defense as well as of ordinances of the Supreme Offices of the Reich including executive orders and supplementary provisions. The same applies to approval of laws and ordinances of the regions (Laender) and to ordinances of Reich deputies (Statthalter).

III

In fundamental and political questions, particularly in such questions which concern the preparation, alteration or execution of laws, intercourse between the Supreme Offices of the Reich and the supreme offices of regions (Laender) which encompass several provinces, (Gaue) in the one hand and on the other hand the offices of the party. Its branches and affiliated organizations, takes place only through the Head of the Party Chancellery. Direct intercourse the Supreme Offices of the Reich and the supreme offices of the regions (Laender) with other offices of the party is not permissible in these cases. The same applies to processing of the personnel records of officials insofar as particular prescriptions therefor do not exist.

The Fuehrer's Headquarters, 16 January 1942
The Reich Minister and Head of the Reich Chancellery Dr. Sammers
The Head of the Party Chancellery N. Bormann

Duty Sphere of the Party Chancellery

R. 49/42
of 2.4.1942 In the executive decree of 16 January 1942 RGBL. I, page 35, appendix 1) supplementing the Fuehrer's decree concerning the position of the Head of the Party Chancellery of 29 May 1941 (RGBL, I, page 35, appendix,) the powers of the Head of the Party Chancellery in relation to the Supreme Offices of the Reich are made clear. This permits me to summarige again the regulations enacted thus far for the sphere of the Party.

The Party Chancellery is an office of the Fuehrer. He makes use

TRANSLATION OF DOCUMENT 2383-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

of it for the leadership of the NSDAP, which leadership he has again completely and exclusively taken over since 12 May 1941....

..... Further, as Head of the Party Chancellery in the realm of the State by decree of the Fuehrer of 19 May 1941 on the basis of the law for safeguarding the unity of party and State, representation of the party relative to the Supreme Offices of the Reich has been given to me. From this arise the following powers which were affirmed anew by the ordinance for the execution of the decree of the Fuehrer concerning the position of the Head of the Party Chancellery of 16 January 1942 (RGBL.,1942',PAGE 35).

1. Participation in Reich and regional (Land) lawmaking inclusive preparation of Fuehrer decrees. The Head of the Party Chancellery puts into effect the role of the party as protector of national socialist ideology (Fuehrer decree of 27.7.1934 and of 6.4.1935).

The Head of the Party Chancellery is to be granted participation from the outset by the Supreme Offices of the Reich in the preparation of Reich laws, of decrees and ordinances of the Fuehrer, of ordinances of the Ministerrat for national defense as well as of ordinances of the Supreme Offices of the Reich including executive orders and supplementary provisions. The same applies to approval of laws and ordinances of the regions (Laender) and to ordinances of Reich deputies (Statthalter).

2. Participation of the party in personnel matters of officials and leaders of the Labor Service (Arbeitsdienstfuehrer) the appointment of whom the Fuehrer has reserved for himself (decree of the Fuehrer of 24.9.1935, RGBL, I, page 1002 and of 10.7.1937, RGBL I, page 769). Participation of the party in the remaining State personnel records is turned over to the Gauleiters by the decree of the Fuehrer to supplement the decree concerning appointment of officials and termination of the official relationship of 26.3.1942 (RGBL I, page 153).

3. Securing the influence of the party on the self-administration of regional bodies (Gebietskoerperschaften) (par. 18 German Community Ordinance, par. 3, paragr. 5 of the First Ordinance for Execution of the Ostmark law of 10 June 1939 and paragr. 2, paragr 5 of the First Ordinance for Execution of the Sudetengau law of 10 June 1939).

Since all the powers which belonged to the former deputy of the Fuehrer in the realm of the State according to hitherto existing laws, ordinances, decrees, statutes and other regulations have been transferred to me, all previous regulations concerning intercourse of party offices with the Supreme Offices of the Reich and the supreme offices of regions (Laender) which encompass several provinces (Gaue) are still valid. Accordingly the cooperation of the party in lawmaking and in the processing of personnel records of officials through the Supreme Offices of the Reich results exclusively through the party chancellery. Also proposals and incentives for lawmaking from the party, its branches and offiliated organizations may be forwarded only through the Head of the Party Chancellery to the proper Supreme Offices of the Reich.

Direct intercourse between the Supreme Offices of the Reich and the supreme offices of the regions (Laender) which encompass several provinces (Gaue) on the one hand, and on the other hand the offices of the party, its branches and affiliated organizations, in fundamental and political questions, particularly such which concern the preparation, alteration, or execution of Laws, as well as the processing of the personnel records of officials, is now as heretofore not permissible.

H1100-0169

TRANSLATION OF DOCUMENT 2383-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

These prescriptions were instituted by the Fuehrer expressly to secure unified representation of the Party. They are therefore to be observed absolutely. I have for my part dircted that at regular periods the offices of Reich leadership be informed in special conferences about the lawmaking work under way, tthat suggestions and incentives from these offices be accepted at the conferences, and that the party offices competent at the time be given a part in the processing of individual questions in a most thorough going manner.

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pages 32-33:

A. 170/39
of 15.9.1939 Concentration of all Powers of the Party in the War

The task of political leadership assigned to the party in the war requires the strongest concentration of all its powers.

I therefore direct:

1. The Sovereign bearer (Hoheitstraeger) of the NSDAP (Gauleiter, Kreisleiter, Ortsgruppenleiter) bears responsiblity for the political conduct and attitude of the population in his sphere of authority. It is his right and his duty to take or to order all measures which are necessary for the frictionless fulfillment of his political tasks or for the elimination of harm within the party. He is responsible solely to his superior functionary.

2. The local Sovereign bearer (Gauleiter, Kreisleiter, Ortsgruppenleiter) has the right to draft for assistance every member of the party, its branches (by arrangement with the locally competent branch leader) and affiliated organizations. In this connection he is required to consider professional activity with special appraisal of its war value.

3. The leaders of affiliated organizations as well as the leaders of the party women's organization are subordinated to the sovereign bearer (Hoheitstraeger) politically, functionally, disciplinarily, and personally. They receive their directions on the part of functionally competent offices of the superior department through their appropriate commander. The local leaders of the NSD.- Dozentenbund and the NSD.- Studentenbund are subordinated to the appropriate authority (Hoheitstraeger) in the same way.

4. The formations of the NSDAP, with exception of the SS, for whom special provisions apply, are subordinated to the sovereign bearer (Hoheitstraeger) politically and in respect to commitment. Responsibility for the leadership of the units rests in the hands of the unit leader.

5. The leaders and co-workers of the above named offices in the provinces (Gaue) and districts (Kreise) and in the - should they exist - Ortsgruppen place themselves at the disposal of the sovereign bearer (Hoheitstraeger) for the taking over of other duties insofar as they are free from military service.

6. Commitment for tasks of war importance takes place exclusively through the commander (Hoheitstraeger). All requests from offices outside the party are to be directed only to the Kreisleiter, in larger tasks to the Gauleiter.

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page 238:

Organization
General Organizations questions.
assumption of new Tasks by Organizations and associations.

In order to be able to care for the whole German people in all

H1100-0170

TRANSLATION OF DOCUMENT 2383-PS
OFFICE OF U S CHIEF OF CUNSEL
(cont.)

realms of life the NSDAP, after the taking of power, created ... new organizations, the affiliated organizations of the party.....

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page 310-311:

Party Schools

Decree
of 15.1.1937 Adolf Hitler Schools
approved as preparatory schools for the training schools (Ordensburgen) of the Fuehrer.

As NSK reports, the Fuehrer and Reich Chancellor has issued the following decree:

Following a report of the Reich Organisation Leader of the NSDAP and the Youth Leader of the German Reich I approve that the newly-to-be-created National Socialist schools, which are at the same time to serve as preparatory schools for the National Socialist Training Schools (Ordensburgen) shall bear my name.

Berlin, 15 January 1937

Signed: Adolf Hitler

As the Youth Press Service ascertains, the two Reich leaders, Dr. Ley and Baldur v. Schirach make the following interpretation of the Fuehrer's proclamation:

Based on a plan prepared by us the Fuehrer issued the above decree concerning the Adolf Hitler schools of the NSDAP. The NSDAP and Hitler-Jugend have thereby received a new, tremendous task, which reaches far beyond the present time into the distant future.

More specific details concerning the Adolf-Hitler schools are being made public today. However, to avoid unclarity, we make known the following fundamentals.

1. The Adolf Hitler schools are units of the Hitler Jugend and are conducted responsibly by the latter. Study material, study plan, and teaching staff are determined by the undersigned Reich leaders in uniformity within the Reich (reichseinheitlich).

2. The Adolf Hitler school comprises six classes. Entrance usually follows after completion of the 12th year of life.

3. Admittance into the Adolf Hitler schools is obtained by such youths as have proved themselves outstanding in the German young-volk and are nominated by the pertinent authorities (Hoheitstraeger).

4. School training in Adolf Hitler schools is free.

5. Supervision of schools belongs to the leadership privileges of the Gauleiter of the NSDAP. He either exercises them himself or hands over the exercise thereof to the Gau (province) office for education.

6. After completing the graduation examination the Adolf-Hitler student has every profession in the party and the State open to him.

The Reich Organization Leader of the NSDAP

SIGNED: Dr. Ley

The Youth Leader of the German Reich

SIGNED: Baldur vl Schirach

H1100-0171

Admittance of Adolf Hitler Students to the Universities
(Hochschulen)

The final examination of Adolf Hitler School students is on a par with the entrance certificate of the university and authorizes study at all German universities (Hochschulen). A corresponding decree will be published shortly in the official organ of the Reich Ministry for Science, Education and Folk culture.....

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page 419-421:

Copy.

Law against illegal broadcasting
of 24 November 1937

The government of the Reich has passed the following law which is hereby published:

I

Threat of Punishment

(1) The illegal broadcaster will be punished by confinement in a penitentiary.

(2) In less severe cases the punishment is imprisonment.by

II

Illegal broadcaster

An illegal broadcaster is:

1. Whoever constructs or operates a radio sending apparatus without a previous grant from the German Postal Service;

2. Whoever has a grant from the German Postal Service to construct or operate a radio sending apparatus, but employs the apparatus for broadcasts which are not permitted but the grant from the German Postal Service;.

3. Whoever employs a radio receiving apparatus against its prescription for the sending of information, signs, pictures, or sounds.

III

Illegal broadcasting through negligence .

Whoever commits one of the acts in paragr.2 through negligence will be punished by imprisonment.

IV

Manufacture, distribution, posession
of radio sending installations.

(1) In the same manner as an illegal broadcaster will be punished.

1. Whoever manufactures a radio sending apparatus without having a grant from the German Postal Service.

2. Whoever imports, offers for sale, distributes, or in other ways provides other persons with radio sending apparatus in working order without having a grant from the German Postal Service.

H1100-0172

H1100-0173

3. Whoever takes a radio sending apparatus in working order into his posession, custody, or safekeeping, and posesses.

Neither a grant from the German Postal Service for the posession, custody or safekeeping of said apparatus nor a grant from the German Postal Service for the construction and operation of said apparatus nor a grant according to No's 1 or 2.

(2) A radio sending apparatus in working order may not be taken into posession, custody or safekeeping on the basis of a grant according to paragr. 1, No's 1 or 2 when the grant specifies otherwise or is limited to other radio sending installations.

(3) If one of the actions described in paragr. 1 is committed through negligence the punishment shall be imprisonment.

(4) The grants (paragr. 1) are revocable; they can be issued with injunctions (grant- and permit conditions).

V

Radio sending apparatus

(1) What radio sending installations are is determined by the the provisions of the broadcasting law (law concerning broadcasting installations of 14 January 1928, RGBL I, page 8).

(2) A radio sending apparatus is considered in working order even when individual replaceable parts or individual connections are missing or were again removed.

VI

Authorization, sending permission

a grant in the sense of the above provisions may also be designated as an authorization or permit.

VII Confiscation

(1) Articles which were intended or employed for illegal broadcasting will be confiscated without consideration of whom they belong to.

(2) The judge may waive confiscation when the act was committed through negligence or when the articles were intended or employed for illegal broadcasting without the authorized person's fault.

(3) In the cases of paragr. 4 those radio sending installations may be confiscated which were manufactured, imported, offered for sale, distributed or given away or were in the posession, custody, or safekeeping of the perpetrator.

(4) The confiscation may be ordered independently when no specific person can be prosecuted or sentenced but aside from that the prerequisites of paragraphs 1, 3 are met.

VIII

Provisions for execution

The Minister of the Postal Service issues the legal and administrative provisions necessary for execution (of the law).

IX

Transitional provisions

(1) Whoever at the time this law takes effect manufactures, imports, offers for sale, distributes, or otherwise gives to other persons, or has in his posession radio sending installations without posessing

the grant required according to paragr. 4 shall request the grant in writing from a Reich Postal management within the time to be determined according to paragr. 3. If he has requested the grant within the specified time he may, until a decision is reached concerning the grant, continue to manufacture, import, offer for sale, distribute, give away, retain in his posession, custody or safekeeping said installations.

(2) Party offices of affiliated organizations must, within the time limit (paragr. 1), place the installations and apparatus at the disposal of the party chancellery. Prescriptions concerning the installations or devisions concerning a grant according to paragr. 4 will in these cases be made jointly by the Head of the Party Chancellery, the Reich Postal Minister and the Reich Minister of War.

X

Taking effect

This law takes effect on the day of its publication.
Berlin, 24 November, 1937

Der Fuehrer
signed: Adolf Hitler
The Reich Postal Minister
signed: Ohnesorge
The Reich Minister of Justice
signed: Dr. Guertner

H1100-0174

page 467-468:

Sphere of duty of the official party examining commission for protection of National Socialist literature.

A.
of 18.4.1934.

Recently a great variety of forms have produced in increasing numbers books and writings which concern themselves with the nature and goal of the National Socialist movement in the treatment of political, economic, cultural and general ideological problems as well as with historical, and particularly biographical presentation of leading personages of the NSDAP. although a not inconsiderable number of these books is written without the necessary factual knowledge and treats the problems and subject - matter incompletely and inadequately or also in non-National Socialist ways of thinking, they are judged indiscriminately by the public as serious contributions to National Socialist literature on the basis of their titles and presentation. Thereby they are fitted to present to the people a totally false picture of the development and objectives of the movement.

The NSDAP has the sovereign right and the duty to be on guard that the National Socialist heritage of ideas should not be counterfeited by unauthorized persons and employed for business purposes in a manner leading astray the general public.

Starting today thes is created an official "Examining commission for the protection of National Socialist literature."

The commission, which will work in closest coordination with the Reich Ministry for Public Enlightenment and propaganda and the deputy charged with surveillance of the total spirital and ideological training of the party and all politically coordinated organizations as well as the movement "Strength through Joy", has the task of examining all books and writings on the subject.

H1100-0175

TRANSLATION OF DOCUMENT 2383-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

Books of the indicated contents may be publicized as National Socialist in the title, the makeup, in publishing notices or even in the presentation itself only when they have been placed before the examining commission and bear its certification of approval (Unbedenklichkeitsvermerk).

The NSDAP expects that manuscripts which have National Socialist problems and subject matter as themes will be offered for publication first of all to the central party publishing office, which is the property of the NSDAP.....

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page 469:

6) If no doubts exist after completion of the examination, the approved writings will be accepted in the catalog of National Socialist literature. The publishing firm thereby receives the right to make the following notation in the book:

" This book, respectively this article, is evaluated as a serious contribution to National Socialist literature by the official party examining commision fr the protection of National Socialist literature and has been entered as No. - in the official party catalog.

A 4/36
of 6.1.1936 Executory orders from the official party examining commission for the protection of National Socialist Literature are considered important party service.

In the course of the development of the work of the "official party examining commission for prolection of National Socialist Literature" I order:

The official party examining commission may entrust specific tasks to party offices or individual party members within its sphere of work, that is, the examination of National Socialist literature, the creation of a N. S. bibliography, and the setting up of official lectupships necessary for its work. The fulfillment of these tasks is considered important party service and is therefore in all cases to be taken case of quickly and carefully.

It is left to the lead of the official party examining commission to decide in detail in what manner be will summon party offices or party members for assistance.

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page 470-471:

A. 9/40
of 30.1.1940
(RVBL.)

According to given instructions I point out the wellunderstood duty of all party members and offices of the party, its branches and affiliated organizations to allow their writing to appear in the central publishing house of the NSDAP., Franz Eher's Successors. Documents that deal with questions of National Socialist ideology and with the party and its history as well as printed matter intended for inter-office use are to be offered first of all to the central publishing house of the NSDAP for printing. The turnover (Schlagkraft) of the central publishing house of the NSDAP is of great significance to the political leadership.

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page 413:

R 41/39
of 13.4.1939

Distribution of "Mein Kampf"

The widest possible dissemination of the book "Mein Kampf" is the urgent duty of all offices of the party. Its branches and affiliated organizations. The effort should be made that some day every German family, even the poorest, will own this fundamental work of the Fuehrer.

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page 478-480:

A. 152/37
of 11.11.1937

Education

General

Fundamental questions of National Socialism.

National Socialism as an idea builds on a few principles which consist on the one hand of faith in the inner laws of life given to the people by Creation and on the other hand of meeting all those conditions required for the fulfillment of the tasks given to this people.

We must hammer these fundamental principles into the German people, until German being and thinking which has so long been buried has become free again, and once again the assertion of the people's will to live is served by the activity of every German person, be this in science, art, in industry or any place in labor. These fundamental principles must be preserved clean and clear for centuries by the party. That is its great task. Our opponent will welcome nothing more than if National Socialism were to let itself be led astray from the preservation of these few National Socialist fundamentals, and should proceed to the unsteady field of scientific partial - and conflicting questions which, though they may be of significance in spiritual history, would of necessity have to become a burden of unbearable proportions politically.

Science is subordinated to development and experience; it amplifies and completes itself constantly by new perceptions and observations. National Socialism announces the immortal truths of our folk existence which were as valid a thousand years ago as they will be a thousand years hence.

The admonishing example of church dogmatism must warn us not to fall into the same error. The attachment of the Roman church to the teaching that the sun revolves around the earth brought immeasurable damage to its credibility.

Entering into scientific partial - or conflicting questions, the revival of political - ideological questions with departmental scientific interpretation in speeches and writings is therefore in the future to be abstained from. In matters of doubt the decision of the Fuehrer's deputy for supervision of total spiritual and ideological education of the NSDAP is to be obtained.

A.
of 19.11.1933

Unification of Educational and Propaganda Work in the Realm of Population Politics and Race Culture.

In order to maintain custody of unified educational and propaganda work in the realm of population - and race politics and in the future to prevent blunders in this work which may lead to serious inner and outer political results. I hereby order that in matters relating to this subject all party offices may only

H1100-0176

H1100-0177

TRANSLATION OF DOCUMENT 2333-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

proceed in closest connection with the leader of the race-political office and according to his directives.

Under these regulations fall not only courses, meetings, etc. but also publication and distribution of periodicals, tracts and books with population - and race political contents.

The head of the race-political office is responsible to me for the realm of education and propaganda in population - and race-political questions. All party offices must follow his instructions in these matters.

A. 117/35
of 15.6.1935

Execution of the ideological education of the NSDAP.

The unified execution of ideological and spiritual education and training in the NSDAP, its branches and affiliated organizations is regulated hereby as follows:

1. The Fuehrer's deputy for all spiritual and ideological education in the NSDAP issues instructions giving dirction and contents for all ideological education and training within the NSDAP, its branches and affiliated organization.

2.---...
3.---...
4. The Fuehrer's deputy for all spiritual and ideological education in the NSDAP has the right, in agreement with the Reich Education Leader (Reichsschulungsleiter), to summon all educational leader - and managers (Walter) regularly to courses and conferences concerning the contents and orientation of ideological education. His directives are to be observed in educational work.

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page 556-557:

A. 140/39
of 14.7.1939

Admittance of Pastors and Theology students into the NSDAP not possible.

In my ordinance No. 34/37 of 9.2.1937 I ruled that in order to prevent introduction of church-political contradictions into the movement and to avoid suspicion of a onesided attitude for or against are existing church organization, the admittance of members of the clerical profession into the party was to be avoided.

It has been shown that non-admittance of members of the clerical profession into the party does not suffice.

The Reich treasurer of the NSDAP took cognizance of this fact in his order No. 34/39 concerning the lifting of the membership restriction of 10.5.1939 by the specification that clericals as well as other citizens who have strong confessional ties may not be admitted into the party.

Beyond that I order that in the future party members who enter the clerical profession or who take up the study of theology must leave the party.

Those students are not affected by this order who are primarily registered with another school and, without intending to enter the clerical profession later, attend individual lectures in the theological school.

H1100-0178

TRANSLATION OF DOCUMENT 2383-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

page 586-587:

V.
of 19.1.1939

Pre-and post-Military Trainning.

SA- Sport insignia elevated to SA- Defense insignia and made basis of pre-and portmilitary training. SA responsible for training.

Official book of rules of the supreme SA- Leadership, 9th year, Munich, 1 April 1939, No. 5.
Der Fuehrer.
In extension to my decree of 15 February 1935 and 18 March 1937 concerning the earning of the SA- Sport insignia and the annual repetition exercises I elevate the SA. Sport insignia to be SA. Defense insignia and make it the basis of pre- and post-military trainning.

I appoint the SA as custodian of this training. Every German man who has completed his 17th year of life and comes within the scope of the prerequisites for honorable military duty has the social duty of earning the SA. Defense insignia in preparation for military service.

The Hitler-Jugend classes are to be prepared, after the completion of their 16th year, for the earning of the SA. Defense insigni

Soldiers honorably separated from active army duty and fit for service are to be incorporated into defense organizations for preservation of their spiritual and physical powers and to be attached to the SA insofar as they are not assigned to other branches of the party (SS,NSKK, NSFK.) for special training and will take their defence toughening on the basis of the SA- Defense insignia.

Organization and training are to take the requirements of the Wehrmacht into consideration.

The chief of Staff of the SA. issues the necessary executive regulations in agreement with the supreme commanders of the branches of the Wehrmacht. He alone is responsible for their execution.

Party and State offices must support the SA. in this training effort and evaluate the certificate of posession of the SA. Defense insignia accordingly.

Berlin, 19 January 1939

signed: Adolf Hitler.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2383-PS

16 November 1945

I, WOLFGANG E. THORMANN, M/SGT, 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2383

WOLFGANG E. THORMANN
M/SGT
33779426

PARTIAL TRANSLATION OF DOCUMENT 2384-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Bewegung, Staat und Volk in ihren Organisationen

Movement, State and People in their Organizations

(Published by C.A. Weller, Berlin, 1935)
Excerpt from p. 161.

The Delegates of the German People

Of the 661 representatives in the Reichstag 640 belong to the national socialistic delegation of the Reichstag.

(See also page 19 and 64).

Leader of the Delegation: Dr.FRICK

Executive Officer of the Delegation: Dr. FABRICIUS

Secretary of the Delegation:

KNOBLOCH

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2384-PS

12 November 1945

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German language; and that the above is a true and correct partial translation of Document No. 2384-PS.

GOETZ MAYER
T/5
33812169

H1100-0179

TRANSLATION OF DOCUMENT 2402-PS
OFFICE OF U.S. CHIEF OF COUNSEL

A

Richtlinien fuer die Parteigerichte

der NSDAP in der Fassung vom 17 Februar 1934

Page VI

Therefore party judges are responsible only to their nationalsocialistic conscience and subordinates of no political leader, and they are subordinate only to the Fuehrer.

Walter Buch

Page 1: Directives for the Party Courts of the NSDAP

1

Purpose of the Party Courts

Par. 1

The Party Courts ha ve the purpose of preserving the collective honor of the party and of the individual party member, as well as settling differences of individual members in an amicable manner.

Their task is:

1. To take measures in the manner prescribed by existing directives against those party members whose behavior does not correspond to the sense of honor and to the ideology of the NSDAP, and, where it appears necessary for the preservation of the honor and good repute of the party, to propose the removal of unworthy members from the party;

2. To clear party members of unjustified suspicion of their integrity, as well as,

3. To work out an amicable settlement of quarrels between party members.

From the jurisdiction of party Courts excepted S.A.-matters, i.e. breaches of discipline and complaints of S.A.-members, as well as differences of opinion and quarrels among S.A.-members. S.A.-members are all leaders, men, and candidates of organizations subordinated to the Supreme S.A.-leadership (S.A., S.S., S.A.R.I, S.A.R.II, and N.S.K.K.).

In cases of differences of opinion (No.3) between a party member and a member of the S.A. who is not a party member;
a) The S.A. courts and offices, resp., have jurisdiction when the S.A.-member is the defendant,
b) The party courts have jurisdiction when the party member is the defendant or when both sides accuse each other.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2402-PS

9 November 1945

I, ERNST M. COHN, Pfc., 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2402-PS.

ERNST M. COHN
Pfc., 33925738

H1100-0180

H1100-0181

TRANSLATION OF DOCUMENT 2426-PS
OFFICE OF U. S. CHIEF OF COUNSEL

A. Excerpts from HESS, REDEN, Zentraverlag der NSDAP, Franz Eher Verlag, Munchen 1938.

Page 25:

1. "It is with pride that we see that one man is kept above all criticism -- that is the Fuehrer.

"The reason is that everyone feels and knows: he was always right and will always be right. The National Socialism of us all is anchored in the uncritical loyalty, in the devotion to the Fuehrer that does not ask for the wherefore in the individual case, in the tacit performance of his commands. We believe that the Fuehrer is fulfilling a divine mission to German destiny! This belief is beyond challenge."
(Broadcast speech at Cologne, 25 June 1934.)

Page 47, Par. 1:

2. "...A defenseless land represents a danger to peace. Its defenseless state only too easily induces venturesome 'excursions' of alien armies. The unarmed condition of a single country in the midst of heavily armed nations can be the temptation for ambitious men to win cheap laurels, and can be the temptation for governments to divert their own people by the foreign adventure of a war..."

Page 102, Par. 1:

3. "...By responsible persons of other lands I do not want to be understood as meaning only politicians and statesmen, but persons responsible for all aspects of the life of their people; for the application of new thoughts in Germany does not limit itself to politics but reaches out to all culture in the most embracing meaning of this word: to art and literature, to science and industry, to the defense forces of the land as well as to the working forces, to associations as well as to the family. In all its forms the life of the people is influenced or changed by National Socialism..."

Page 200:

4. "We know that the money we thereby save [by sacrifices] goes to the aid of armament. Even today the watchword applies: "Guns instead of butter!", that is, instead of more butter first more cannons, for otherwise one day our last butter will be taken from us."

Page 228:

5. "...National Socialism has seen to it that vital necessities of our nation can today no longer betalked to pieces by a Reichstag and made the object of the haggling of parties. You have seen that in the new Germany decisions of historic scope are made by the Fuehrer and his Cabinet--decisions which in other countries must be preceded by parliamentary debates lasting days and weeks."

Pages 246-7:

6. "...Some among you may perhaps have been of the opinion that today, after the former parties have vanished, the NSDAP has also no longer any right to exist. Not only does the NSDAP

H1100-0182

have the right to exist, but it is a necessity, and particularly so from the point of view of your own sphere of interests. It is a necessity which becomes all the greater the more politics, and the continuation of politics with other means -- such as war -- are today based on the entire people, and the more the spirit of the people is of decisive importance as regards the success of both. Just as the army organism is the technical means by which to organize and direct offensively and defensively the people's physical strength--its material and military strength --- so is the party organism the technical means with which to organize and direct offensively and defensively the spiritual and political strength of the people. At the same time both organisms mutually complement and influence one another.

B. Excerpt from ROSENBERG, Der Mythos des 20 Jahrhunderts (The Myth of the Twentieth Century)

Pages 641-642:

"The Russians will have to confine themselves so as to remove their center of gravity to Asia."

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2426-PS

17 November 1945

I, Wolfgang E. THORMANN, M/Sgt., 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2426-PS.

WOLFGANG E. THORMANN
M/Sgt., 33779426

TRANSLATION OF DOCUMENT 2481-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Magazine of the Academy for German Law (Zeitschrift der Akademie für Deutsches Recht)

Edited by Reichminister, Dr. Frank, President of the Academy for German Law.

4th Year, 1937

Published by C.H. Beck, München and Berlin, issue No.3, 1 February 1937.

Excerpt (p.67,68) from article: Four Years of Building of the Third Reich by Reich Minister of the Interior, Dr. Wilhelm Frick, member of the Academy for German Law.

The first constitutional foundation of the New Order in the Third Reich was brought about by the law to remove the distress of people and Reich of 24 March 1933, the so-called Enabling Act (Ermaechtigungsgesetz). The law creates a new procedure in legislation by authorizing the Reich Government to issue Reich laws. This reform has a double significance in regard to constitutional law. On one hand this measure means a turning away from the liberal principle, of division of powers in reuniting the legislation with the government authority and on the other hand a turning away from parliamentarism, since the self-responsibility of leading personalities has taken the place of anonymous resolutions in the legislation. Since the passing of the Enabling Act almost all the laws of the Reich have been issued in this simplified manner of the Government legislation. Only the Reconstruction Law (Neuaufbaugesetz) of 30 January, 1934 and the three Nuernberg laws from September 15, 1935 have been resolved by the Reichstag. One week after the Enabling Act the law relating to the preliminary political coordination of 31 March 1933 was issued by which the parliaments of the provinces (Länder) (with the exception of the Prussian Diet (Landtag) newly elected on March 12, 1933) were coordinated to the German Parliament (Reichstag) after the results of the election of March 5th. A similar procedure which the Enabling Act (Ermaechtigungsgesetz) had introduced for the legislation in the Reich was created for the legislation in the provinces. In order to issue laws for the provinces (Länder) no more parliamentary legislative procedures were needed. On the contrary the provincial governments had the power to resolve upon laws independently. This decree is obsolete, though since the Reconstruction Law of 30 January 1934 the provinces (Lander) are exercising their legislative power not on their own authority but on the orders and in the name of the Reich only.

Page 68. After having overcome the disunity within the party the law for the protection of the unity of Party and State was passed on December 1, 1933. It safeguards by special constitutional protective measures the permanent unison and the accordance of party and state in all their functions, by declaring the NSDAP the bearer of the German conception of a state and the sole political organization of the German people, by appointing the deputy of the Fuehrer a member of the government of the Reich, and by giving the party official legal power to punish and jurisdiction over their members and over the SA.

H1100-0183

The reconstruction law (Neuaufbaugesetz) abolished the rights of sovereignty and the executive power of the provinces (Länder) and made the Reich the sole bearer of sovereign rights. Since this day the provinces hold no more an executive power. Necessarily, this resulted in the subordination of the Provincial (Länder) Government to the Reich Government and the subordination of the Provincial (Länder) Ministers to the respective Ministers of the Reich. (Fachminister) On January 30, 1934 the German Reich has become a unified Reich. The immediate result was that the previous 17-fold citizenship of provinces was now replaced by a common citizenship of the Reich.

The merger carried out in the unified central offices between the Reich and Prussia, was also extended to the provincial offices, whereby the Prussian "Oberpraesidents" (i.e. administrative head of a Prussian Province) were appointed as functionaires of the Government of the Reich and were equipped with authoritative power over all civilian provincial authorities. Herewith the foundation has been laid for the extension of the Prussian Oberpraesidents to a unified intermediary authority of the whole public provincial administration.

The settlement arranged for Prussia led to a parallel establishment of the position of the Reich Commissioner (Reichsstatthalter) in the Provinces outside of Prussia. The law relating to Reich Commissioners (Reichsstatthaltergesetz) of January 30, 1935, which was passed on the second anniversary of the Nationalist Socialist assumption of power on January 30, 1935, established the Reich-commissioner (Reichsstatthalter) as administrative head of the Intermediary authority of the Reich (Reichsmittelinstanz) by giving him executive power over all civilian offices of the Reich and the Provinces (Lander) of the communities and other self-administrative bodies of public law in his district and also provides for the possibility to appoint him with the leadership of the provincial government.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2481-PS

I, Tibor W. Schonfeld, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2481-PS.

Tibor Walter Schonfeld
51029

H1100-0184

German Justice
(Deutsche Justiz)
10th year, Edition A, No. 42
Berlin, 16 October 1942
Page 662.

The Judge is therefore not the supervisor of, but the direct assistant in the Administration of the State. He is responsible to the leadership of the State (Staatsführung) within his sphere of duty for the conservation of the national community. By protecting the national values (Völkische Werte) and eliminating (dangerous elements from the community of the people) he is, in this respect akin to the political leader, the promulgator of national self preservation (Völkische Selbsterhaltung). This point of view must be decisive for the Judge. The Judge taking it for his guiding principle will find many a decision which seemed very difficult to be solved at first, facilitated.

This task brings the Judge in direct and close contract with the leadership of the State. This association must be felt down to the last Judge. Every Judge must be made familiar with the problems facing the leadership of the State to the extent necessary to enable the Judge to perform his duties within the total order of life in the community (gesamtvölkische Lebensordnung). Resulting from this is the meaning and the necessity of leadership in the Administration of Justice. It is one of the most difficult questions among the problems of Justice altogether. Leadership in the Administration of Justice does not bind the Judge to regulations on the part of the leadership of the State. The essence of the so-called independence of the Judge - a word that should be eliminated from the vocabulary for the above reasons - his free though regulated (freie, weisungsungebundene) decision should and will remain, there would be no more Judge. But the leadership of the State should and ought to give the Judge the general rules to be observed, if Justice is to fulfill its purpose. For this purpose serve among others the confidential "Letters for the Judge" (Richterbriefe) edited by me which every German Judge and Public prosecutor receives.

. . . . . .

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PARTIAL TRANSLATION OF DOCUMENT
OF DOCUMENT NO. 2482-PS

17 November 1945.

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct partial translation of Document No. 2482-PS.

GOETZ MAYER
T/5, 33812169

H1100-0185

H1100-0186

PARTIAL TRANSLATION OF
DOCUMENT NO. 2639-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Ordinances by the Führer's Deputy

Anordungen des Stellvertreters des Führers

Confidential

Vertraulich

Compilation of all ordinances by the Fuhrer's Deputy, promulgated up to 31 March 1937 and still effective.

Zusammcustellung aller bis zum 31 März 1937 ereasseu und noch Gultigen Anordnungen des Stellvertreters des Führers.

1937
Central Publishing House of the NSDAP, Franz Eher, succ., Munich

Zentralverlng der NSDAP, Franz Eher, Nachf, Muenchen.

Page 190:

Ordinance No. 184/35

Based on the "Law against treacherous attack against State and Party, and for the protection of the Party uniform," of 20 December 1934, all those punishable acts, which comprise an attack against the party, its leader or its institution, were presented to the Führer's deputy by the Reichminister for Justice for a political, joined decision.

The Führer's deputy has made use of his right of assisting of reading a decision, especially, because he wants to be sure, that it is prevented, that miscreants go to jail for months for every small crime and because that a second law for the protection of the republic would be created by such action.

Although it must absolutely be prevented that martyrs are created, one must take merciless action against such people, in whose attacks a bad character or attitude, decisively inimical to the State, can be recognized. For this purpose, I request the GAULEITERS to report here briefly all crimes, which must absolutely be punished, and which have become known to the districts (GAUEN) regardless of the report to be made to the district attorney's office (Staatsanwaltschaft).

* * * * *

The district and local leaderships (Kreisleitungen und ortogruppen) are to be notified accordingly. However, if it should be decided from wherein this or that punishable case, that the miscreant is to be given a simple or strong reprimand by the court, I shall give the directive for the future, that the Districts (GAUEN) are informed of the names of the persons.

I therefore request, to see to it, that these compatriots be especially watched by the ORTSGRUPTEN, and that it be attempted, to influence them in the National Socialist sense. Otherwise, it will be necessary to place the activities of such persons, who do not want to be taught, under exact control.

H1100-0187

In these cases, it will eventually be necessary, to notify the Secret State Police.

Munich, 3 September 1935.

The Chief of Staff of the Führer's Deputy
(Der Stabsleiters des Stellvertreters des Fuhrers)

M. BORMANN

* * * * *

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2639-PS

17 November 1945

I, WILLARD E. SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2639-PS.

WILLARD E. SKIDMORE
Lt. (jg) USNR 391590

H1100-0188

TR

TRANSLATION OF DOCUMENT 2647-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Law Relating to the Abolition of the Reichsrat
(Second Chamber in the Weimar Republic,
representing the governments of German States,
e.g. Prussia, Bavaria, etc.)
of 14 February 1934

The Reich-Regierung has resolved the following law which is herewith promulgated:

Section 1

(1) The Reichsrat is herewith abolished.

(2) The States (Lander) shall not be represented any longer at the Reich.

Section 2

(1) The participation of the Reichsrat on legislature and administration is abolished.

(2) In matters where the Reichsrat acted independently, the competent Reichminister or the office appointed by him in agreement with the Reichminister for the Interior is taking its place.

(3) The participation of delegates to the Reichsrat in corporations, courts and offices of all kind is abolished.

Section 3

The competent Reich Ministers are authorized, in agreement with the Reichminister for the Interior, to set supplementary regulations and to take into consideration the alterations resulting from this law, when a new edition of legal regulations will be promulgated.

Berlin, 14 February 1934.

The Reich Chancellor: Adolf Hitler.
The Reich Minister for the Interior: Frick.

From: "Reichsgesetzblatt," Part I, p. 89, 14 February 1934.

CERTIFICATE OF TRANSLATION OF DOCUMENT 2647-PS

I, TIBOR W. SCHONFELD, Civ., AEF Permit #51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2647-PS.

TIBOR W. SCHONFELD,
Civ.,
AEF Permit #51029.

H1100-0189

TRANSLATION OF DOCUMENT 2755-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1942 REICHSGESETZBLATT, PART I, PAGE 247

Resolution of the Greater German Reich-Parliament (Reichstag)
of 26 April 1942

Beschluss des Grossdeutschen Reichstags
vom 26 April 1942

Upon the motion of the President of the Reich-Parliament (Reichstag) the Greater German Reich-Parliament in its session of 26 April 1942 has unanimously sanctioned the Rights claimed by the Führer in his speech by the following resolution.

> There can be no doubt that the Führer in the present phase of the war, in which the German Nation is involved in a struggle for its existence, has to have the rights claimed by him to do everything which helps to win the war or contributes to it. Therefore, the Führer, in his capacity, as Führer of the Nation, Supreme Commander of the Armed Forces, Chief of the Government and Supreme Executive Power, as Supreme Justice and Führer of the Party has to be in the position at any time - without being subject to ruling legal provisions - to oblige every German National - be it a common soldier or officer, low or high official or judge, leading or assisting functionary in the party, labourer or clerk - to fulfill his duty if necessary with all the means considered by him appropriate. If anyone should fail in his duty he has the right to impose on him the one atonement, after conscientiously cramming the case regardless of so-called well deserved privileges, especially to dismiss him from his office and rank without instituting any procedure otherwise prescribed.

By order of the Führer this resolution is herewith promulgated.

Berlin, 26 April 1942.

The Reich-Minister and Chief of the Reich-Chancellery
Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2755-PS

15 November 1945.

I, MR. F. W. SCHONFELD, hereby certify that I am thoroughly conversant with the German and English languages and that the above is a correct and true translation of Document No. 2755-PS.

MR. F. W. SCHONFELD

H1100-0190

TRANSLATION OF EXCERPT OF DOCUMENT 2787-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Excerpt from

"Orders of the Deputy of the Fuehrer".
(Anordnungen des Stellvertreters des Fuehrers)

published by: Central Publishers of the NSDAP, Franz Eher, Sucessor, Munich 1937.

Pages 67 - 68.

Order (Anordnung).

The Fuehrer alone determines the policy of the NSDAP and of its branches as well as of its subordinate societies. He has made responsible for strict compliance with his political directives by all branches of the party and for uniformity of policy.

In order to guarantee this I determine the following:

1. The political leadership within the party and its political representation toward all state and other offices outside the party rests entirely with its officers, namely with me, the Gauleiters, the Kreisleiters, and the Ortsgruppenleiters.

2. The officers alone have the right to make agreements with State and other Offices located in their respective districts, according to the directions issued by the Fuehrer or by me on his behalf. Included in these Offices are the authorities of the Province and State employment offices competent for the district of the Gauleiter even if they are located outside the district (Gau) in question.

3. Representation toward provinceslocated within a district (Gau) or those embracing a whole district is the affair of the competent Gauleiters.

4. I reserve to myself personally the representation of the party in all matters toward the Reich Cabinet (Reichsregierung). The same applies to the representation of the party toward the Governments of States embracing several districts (Gaue), namely Prussia and Bavaria. In the future all matters pertaining to the Governments mentioned shall be brought to me by the Officers of the party for further action.

5. The representatives of the PO., such as Reichsleiters, Amtsleiters etc., as well as leaders of the SA., SS., HJ., and subordinate organizations, may make binding agreements of a political nature with State and other Offices only with the authorization of the Officers.

Munich 25 October 1934

signed: Rudolf Hess

H1100-0191

TRANSLATION OF EXCERPT OF DOCUMENT 2787-PS CONT'D

Pages 190 - 192.

Order No. 184/35.

On the basis of the "law against malicious attacks on State and Party and for the protection of the party uniform" of 20 Dec. 1934, all criminal cases representing an attack on the party, its leaders or its institutions were submitted by the Reich Minister of Justice to the deputy of the Fuehrer for political co-decision.

The deputy of the Fuehrer introduced his right of co-decision especially because he wants to avoid offenders' being imprisoned for months for each little offense and because such handling of the law would create a second law for the protection of the Republic.
Therefore, in spite of the fact that the creating of Martyrs must be absolutely avoided, persons whose attacks indicate bad character or an attitude of pronounced hostility to the State shall be strictly prosecuted.
For this reason I ask the Gauleiters to report here briefly all offenses that must absolutely be punished, as far as they are known to the districts (Gaue), regardless of the report to be given to the public prosecutor. All district leaders (Kreisleitungen) and local groups are to be informed correspondingly.
Should it be decided here in individual criminal cases that the Court give the offender a simple or a severe reprimand, then I shall give orders that in the future the names of these persons be communicated to the districts (Gaue).
I therefore ask that the local groups (Ortsgruppen) be requested to watch these citizens especially and attempt to influence them in a National Socialistic sense. On the other hand it is necessary to exercise strict control over the activities of such persons as do not to listen to reason.
In these cases it may be necessary to inform the secret State Police (Gestapo).

Munich, 3 Sept. 1935

The Chief of Staff of the deputy
of the Fuehrer

signed: M. Bormann

H1100-0192

TRANSLATION OF EXCERPT OF DOCUMENT 2787-PS
CONT'D

Page 270 - 272.

Circular Nr. 49/36.

Re: Retirement and exclusion of officials from the NSDAP.

Few Communications about retirement and exclusion of officials from the NSDAP are received from the districts (Gaue). Of the 32 districts (Gaue) 19 have not as yet reported a single case. For this reason I refer you again most urgently to my order of 4 July 1935 Nr. 133/35. These reports about retirement and exclusion of officials are all the more necessary in that I have in the meantime reached a definitive agreement with the Reich and Prussian Minister of the Interior, which prompted the circular decree of the Reich and Prussian Minister of the Interior of 21 February 1936 - II SB. 6190/1363. The decree reads as follow:

"The deputy of the Fuehrer will report the retirement of an official from the NSDAP to the highest service authority (Dienstbehoerde) of the official. In each case a thorough examination must then be made to learn for what reasons the official has retired from the party. If he has done so because he dissapproved of the program or political attitude of the party he can no longer remain an official. But even if this is not the case, with the close relationship between party and State it can be concluded that in retiring from the party the official did not possess inner union with the National Socialist State or that in any case he lacked the necessary spirit of sacrifice. He must expect at least that he will be excluded from preferential promotions and not considered for normal promotions.
When officials are excludd from the party, two copies of the verdict of exclusion shall be sent in to me along with the report.

The Chief of staff of the deputy of the Fuehrer

signed: M. Bormann

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2787-PS

14 November 1945

I, VIRGINIA VON SCHON, 046318, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2787-PS.

VIRGINIA VON SCHON
046318

PARTIAL TRANSLATION OF DOCUMENT NO. 2867PS
OFFICE OF U S CHIEF OF COUNSEL

REICHSGESETZBLATT

May 6, 1933 No. 48 - Part I,
Begin Page 245

(Extracts)

Third Degree Relating to the Implementation of the Law for the Restoration of the Professional Civil Service of 6 May 1933

Pursuant to Section 17 of the Law for the Restoration of the Professional Civil Service of 7 April 1933 (Reichsgesetzbl. I, page 175) the following is decreed:

To Section 2:

2.

A person who has been active in the communist affairs is to be dismissed, even if he does not belong any more to the Communist party, its auxiliary or substitute organizations. The so-called National-Communist Movement ("Black Front") is also considered as communist.

3.

(1) A civil servant possesses for his career the prescribed training if upon taking up his official duties as a civil servant he has fulfilled certain requirements set by law, decree or administrative regulation.

(2) A civil servant possesses for his career the usual training if he upon taking up his official duties has fulfilled those requirements which have been considered as a rule sufficient for his career.

(3) A civil servant is otherwise qualified for his career:

(a) as a political official if on the basis of his position and activity in public life or on the basis of his experiences and the uprightness of his convictions and dealings he appears suited to be entrusted with office and who by the blameless conduct of the office has given proof that he is qualified.

(b) as a non-political official, if he on the basis of his earlier theoretical or practical activity as well as on the ground of the uprightness of his convictions and dealings upon taking over the office demonstrated a special aptitude and by the blameless conduct of the office has proven that he is qualified.

* * * * * *

To Section 4:

1.

The adherence of a civil servant to a political party - with the exception of the Communist Party - does not justify by itself the assumption of national untrustworthiness. This applies also when the civil servant has been an enrolled member of the party, when he has contributed to it and has been present at its assemblies.

H1100-0193

2.

The hypotheses of Section 4, Sentence 1 are especially fulfilled if a civil servant by word, writing or by his earlier conduct has acted in a spiteful manner against the national movement, has maligned its Führer or has misused his official position in order to persecute national-minded officials, to demote or in other ways to do wrong. Likewise it is the case that exculpation is not obtained by a person who as a result of the 30 January 1933 has since joined a party or a group which supports the government of national resurrection. No significance should be attributed to occasional mistakes in an election campaign.

* * * * * *

In the case of the judgement of officials in executive position a more strict rule is to be applied as the majority of civil servants who often only followed the example given to them, or who yielded to the pressure which was brought to bear on them, are for such reasons regarded as having been led astray.

6.

The Federation of Republican Civil Servants ("Bund republikanischer Beamter") and the Iron Front ("Eiserne Front") are also considered as political parties in the sense of the first decree relating to the implementation of the law for the Restoration of the Professional Civil Service of 11 April 1933 (Reichsgesetzbl. I, page 195).

* * * * * *

To Section 7:

4.

In so far as Reichstatthalter have been appointed, they are authorized upon the proposal of the provincial government (Landesregierung), the dismissal from offices, the changes in other offices and the putting of persons on the retired list.....

Berlin, May 6, 1933

The Reich Minister of the Interior
Frick

The Reich Minister of Finance
Count Schwerin von Krosigk

17 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2867PS

I, Tibor W. Schonfeld, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. 2867PS.

TIBOR W. SCHONFELD

H1100-0194

H1100-0195

PARTIAL TRANSLATION OF DOCUMENT 2880-PS
OFFICE OF U S CHIEF OF COUNSEL

From: Handbook for administrative officials

(Taschenbuch fuer Verwaltungsbeamte)

1942

publ. by: C a r l H e y m a n n s Verlag Berlin

pp. 125, 129, 133, 212, 232.

H1100-0196

PARTIAL TRANSLATION OF DOCUMENT No. 2880-PS
OFFICE OF U. S. CHIEF OF COUNSEL

(Page 125) III State Saxony (SACHSEN)

14994.7 square kilometers,
5,231,793 population

A. Governor (Reichsstatthalter) and leader of the Saxony state government: MUTSCHMANN, district leader (Gauleiter)

(Page 129) IV WURTTEMBERG

19507.7 square kilometers,
2,896,920 population

A. Governor (Reichsstatthalter) in Württemberg (Stuttgart O, Richard-Wagner-Str. 15: Tel: 23044/5.)
Governor (Reichsstatthalter): MURR, district leader (Gauleiter)

(Page 133) V BADEN

15069.7 square kilometers
2502442 population

A. Governor in Baden: (KARLSRUHE, ERBPRINZENSTR. 15; Tel: 4620/1)
Governor: WAGNER, district leader

(Page 212) B. Provincial governments.

I Province East Prussia (OSTPREUSSEN)
Chief presidency in KONIGSBERG (MITTELTRAGHEIM 40B; Tel: S-No. 34081)
Chief president: KOCH, Prussian state councillor, (Stratsrat), district leader.

(Page 232) VI Province Lower Silesia (WIEDERSCHLESIEN)

Chief presidency in BRESLAU (NEUMARKT 1-8; Tel: 22451)
Chief president: HANKE, district leader.

16 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2880-PS

I, Ernst M.Cohn, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. 2880-PS.

Ernst M. Cohn, Pfc,
33925738

TRANSLATION OF EXTRACTS OF DOCUMENT 2881-PS
OFFICE OF U. S. CHIEF OF COUNSEL

EXTRACT FROM HITLER'S SPEECH OF 12 April 1922
QUOTED IN "ADOLF HITLER'S REDEN (SPEECHES)
ED. BY DR. ERNST BOEPPLE, PUBLISHED BY DEUTSCHER
VOLKSVERLAG DR. E. BOEPPLE, MUNICH.

Page 20 - 21.

Finally, we were the first to point out to the nation in broad outline a danger which had crept up on us, a danger which millions of people failed to see, but which will lead us all to destruction, the J e w i s h d a n g e r. And today they say again that we are "hate-mongers".

And certainly these people are excited by their misery. Outwardly perhaps impassive, but inside a seeting cauldren. And when some people say: "It is a horrible crime to rouse their passions", then I tell myself: Their passions will be roused by the increasing need and these passions will one day lead to an eruption like this or like this and I would ask those who today call us "hate-mongers": "What have you to give the people in the way of a creed to which they can cling?"

Nothing at all. For you don't believe in your own prescriptions.

The most tremendous task for our movement is to provide a new creed for these great, searching, stumbling masses, a creed which will not fail them in these times of confusion, by which they can swear and build, so that there will be at least one spot where their heart may find rest.

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CERTIFICATE OF TRANSLATION
OF EXTRACTS OF DOCUMENT
NO. 2881-PS

17 November 1945

I, EVELYN GLAZIER, P/O, W.R.N.S., 37371, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Extracts of Document 2881-PS.

EVELYN GLAZIER
P/O, W.R.N.S.
37371

H1100-0197

TRANSLATION OF EXCERPTS OF DOCUMENT
2882-PS
OFFICE OF US. CHIEF OF COUNSEL

Excerpts of

Alfred Rosenberg's

The Party Program

(Das Parteiprogramm)

(Franz Eher Munich 1943)

p. 27

.....

National socialism regards the type of state structure and state leadership also as a consequence of certain national charachteristics. If an entirely foreign race - consequently other Tendencies - are allowed to participate in it, the purity of organic expression becomes adulterated and the national existence crippled.

It recognizes that the individual tribes of the German language territory belong to different but closely related races. Many mixtures among these tribal brethren have led to new vigorous formations among others to the formation of the polymorphons and yet German man. However, a mixture with the hostile Jewish races (Gegenrasse) and with similar related races of Asia Mimor which are basically different in their entire physical and mental constitution, could have led only to bastardization. .....

CERTIFICATE OF TRANSLATION OF
EXCERPTS OF DOCUMENT 2882-PS

26 November 1945

I, WOLFGANG E. THORMANN, M/SGT., 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of excerpts of Document 2882-PS.

WOLFGANG E. THORMANN
M/SGT.
33779426

H1100-0198

PARTIAL TRANSLATION OF DOC. NO. 2883-PS
OFFICE OF U.S. CHIEF OF COUNSEL

MEIN KAMPF
by
ADOLF HITLER
41st Edition
1933

Verlag Franz Eher Nachf. G.M.B.H. Muenchen

Page 89, Line 28

Even here, majority can never replace the man .....

Page 92, Line 22

.....that the political understanding of the masses is not sufficiently developed to produce independently specific political convictions and to select the persons coming into question.

Page 378, Line 13

The young movement in essence and structure is anti-parliamentarian, i.e., it rejects a principle of majority voting in general as well as in its own organization ...

Page 379, Line 24

....and even its participation in the activities of a parliament has only the purpose to contribute to its destruction, to the elimination of an institution which we consider as one of the gravest symptoms of decay of mankind.

Page 503, Line 4

Such a revolution can and will only be achieved by a movement which itself is already organized in the spirit of such ideas and thus in itself already bears the coming state. Therefore, the National Socialist movement may today become imbued with these ideas and put them into practice in its own organization so that it not only may direct the state according to the same principles, but also may be in a position to put at the state's disposal the finished organizational structure of its own state.

Page 648, Line 9

National Socialism, as a matter of principle, must claim the right to enforce its doctrines, without regard to present federal boundaries, upon the entire German nation and to educate it in its ideas and its thinking....

Page 648, Line 21

The National Socialist doctrine is not the servant of political interests of individual federal states, but shall become the ruler of the German nation.

* * * * * * * *

17 November 1945

I, WILLARD EVANS SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2883-PS.

WILLARD EVANS SKIDMORE
Lt. (jg) USNR
391590

H1100-0199

H1100-0200

TRANSLATION OF DOCUMENT NO. 2955-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Wiesbaden, 14 November 1945

Land Gross - Hessen

Magnus HEIMANNSBERG states under oath:

Before World War I, after rising from the position of Constable, I was Police Commissioner in Mühlheim on the Ruhr. After the war, I was appointed Police Major in the Prussian Ministry of the Interior. There I worked primarily on the nationalization of the Municipal Police. From 1922 to 1923, I was in charge (Kommandeur) of the Security Police in Potsdam. In addition, I became Lieutenant Colonel and Deputy Chief of the Security Police in Berlin. In 1927, I was named Chief (Kommandeur) (with the rank of Police General) of this large police force. In 1932, when von PAPEN relieved BRÜNING, I was forced out of office by the Military Commander of Berlin, now General Field Marshal von RUNDSTEDT, and sent to military prison where I served a short term. Police President GRECZINSKE was also removed and arrested in this fashion. A few days after my first release, I was again arrested because I had allegedly planned a "Putsch" against the von PAPEN Govermment. When the National Socialists came to power, I was faced with active persecution. I was arrested several times and also, my liberty of movement was considerably curtailed. Thus for several years, my telephone conversations were checked and I was shadowed while on the street.

I was again arrested as a result of the "Putsch" of 1944, and spent three months as a prisoner in the hands of the People's Court and hence of the Gestapo. During this entire term, I received degrading treatment, particularly in that I was considered a criminal and kept in solitary confinement.

Shortly before the Americans took the town, I had evacuated my wife and daughter with a three month old baby to Limburg. There after the occupation by Captain FOX, I was charged with the reorganization of the Police Adviser of the Regierungspresident in Wiesbaden.

After the establishment of Land Gross - Hessen, in addition to my office as Police President in Wiesbaden, I was made Chief of Police for

the Land Gross - Hessen.

During my activity as Chief of the Security Police in Berlin, I was responsible for the training and the recruiting of the entire Berlin uniformed police. I had the particular responsibility for the frequent calls on the Police to control political riots, and in this connection, to restore law and order.

Politically, I belonged to the former Zentrum Party. As far as trade Union membership is concerned, I was a member of the Prussian Police Officials Union, of which I was one of the co-founders.

Until 1928, the NSDAP in Berlin came into prominence only sporadically. When GOEBBELS became "Gauleiter" of Berlin, however, the picture changed visibly. As he admitted himself, GOEBBELS used any methods which would further the Party (and at any cost) whether they were good or bad. In the selection of his methods, he was entirely unscrupulous. He also used his paper "Der Angriff" as a means toward his end. The line of this activity was plain and simple, viz. the Weimar State was to be discredited, at any cost, with the population and its supporters were to be robbed of all dignity in the eyes of public opinion. For instance, he had a special column in his paper, entitled: "They lie, they lie", and he labelled as lies all Government announcements which displeased the Nazis. He also organized a system for disrupting political meetings of all non-Nazi (Andersdenkenden) groups. The so-called "Rollkommandos" were organized and charged with interrupting and making noise and so on, in order to agitate the public and make the speaker nervous. Finally, he even went so far as to break up meetings with "Rollkommando" raids; in many cases, fights resulted during which the furniture of the particular halls was destroyed and a number of persons were hurt. This activity of the National Socialists was directed against all non-conformist (andersdenkenden) parties, but especially against the Communist and Social Democratic Parties. These so-called "Knüppelgarden" (truncheon guards) were armed with black-jacks, brass knuckles (Schalgringe), rubber truncheons (Gummischläuchen), walking sticks, and some times the attacks were carried out with empty bottles and beer glasses.

H1100-0201

H1100-0202

After the "Reichstag" election of 1930, Nazi terrorism became more overt. From then on, scarcely a day went by when the Chief of the Security Police did not receive a minimum of five to ten reports, often more, of such riots, which were Nazi-instigated. As the date of the seizure of power approached, this state of affairs became so acute that we were obliged to put the entire Police Force on the job of fighting the Nazis, a condition which left little time for other Police duties.

Hand in hand with this general terrorization of the population came the persecution of the Jews. They (the Nazis) had not yet enough courage (nerve) to treat these people in the manner they used later when they were in power, but they obviously strived, not only to incite the population against the Jews, but also to make the Jews' life so unbearable that they would be forced to emmigrate. For instance, the National Socialists broke the windows of Jewish stores and residences, and ridiculed Jews in the streets in the presence of by-standers. It is a known fact, that in 1930, I believe, Nazi groups destroyed a great number of show windows of Jewish stores on Leipziger Strasse.

In order to hinder the Police in the performance of their duty against them, the Nazis sent letters to Police employees and officers whom they disliked with threats of dismissal and strict punishment in the event of the Nazi seizure of power. They also were in the habit of giving all kinds of nicknames to leading Police personalities. Thus, Police President, ZORGIEBEL was invariably called, in the Press as well as personally, "Dörrzweibel" (dried onion) and the Police Vice-President, Dr. WEISS, whose given name was Bernard, was called "Isidor", in order to emphasize his Jewish origin. Minister of the Interior SEVERING and we high police officers were continuously referred to by the term "Bluthund" (Blood Hound), while for Reich Chancellor BRÜNING, the usual insult used was "Hunger-kanzler" (Hunger Chancellor).

When the Government - I think it was in 1930 - prohibited the wearing of any type Nazi uniform (especially the SA uniform), the Nazis got around it in the absence of uniforms by appearing in other similar articles of clothing, e.g. in blue trousers and white shirts. Nevertheless, the Police

H1100-0203

did not relax and pursued these camouflaged groups, as soon as they showed the slightest connection with the Party. And this campaign was carried out almost always through the singing of provoking songs designed to achieve a clash of classes. One of their favorite songs had the following infamous chorus: "And when Jewish blood gushes forth at the point of the knife, we like it all the better." They also adopted for parades and meetings the cry: "Perish the Jew" ("Juda Verrecke")

The Nazis were substantially supported by unscrupulous police officers who were careful to conceal their membership in the Party (among them a major), and since they were of necessity informed of security measures and planned police action, they caused great damage to the State, acting as spies for the Party. A case in point is that of the Major - later Chief (Kommandeur) - who made very special use of the police group WECKE, named for him. This man, as has been proved, at the very moment of an emergency Police action against Nazi riots, would deliberately put the men in his charge on some purposeless asignment, in order that his fellow Party members might carry out their plans undisturbed. If I remember correctly, WECKE, as a reward for his treacherous activities, was promoted from Major to General within a year after the seizure of power by the Nazis On one occasion, Police Captain TOLGER - since dead - who was under him for a time, called his (WECKE's) attention to disturbances instigated by an SA group and recommended that necessary steps be taken. WECKE pretended not to have heard.

Maybe it is worth mentioning that GOEBBELS would shrink from nothing, if he thought that a particular method had a chance of succeeding. Once, in order to disrupt the premiere of the film "All Quiet on the Western Front", he had white mice smuggled into the theater and then set them free; this caused an indescribable panic among the female moviegoers.

It is my understanding that in order to sway the elections to the advantage of the Nazis, many industrialists, who were Nazi sympathizers, did not shrink from artifically increasing unemployment by unnecessary dismissals of workers. Similarly, as it was often reported to me, it was often customary at the polls to falsify the votes to the advantage of the Nazis by

H1100-0204

adding "No's" and blank slips to the Hitler ballots, or to perform some such manipulation with the object of obtaining more Nazi votes.

In order to intimidate the voters, SA or other Nazi groups were posted at the polling places where they demanded in no uncertain terms, i.e. following the National Socialist terror principle, that the voters should cast their ballots only for the Nazis.

I have willingly made the above statement which, if I remember correctly, constitutes the essence of my Police experience in Berlin in connection with the NSDAP.

(Signed) MAGNUS HEIMANNSBERG

Sworn to before me this 14th day of November, 1945.

(Signed) Seymour M. Peyser
Major, J.A.G.D.

- - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2955-PS

19 November 1945

I, MARY LEDLIE RIAL, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2955-PS.

MARY LEDLIE RIAL
Civilian

H1100-0205

TRANSLATION OF DOCUMENT 2967-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Heidelberg, November 17, 1945

Dr. Hans Anschuetz, at present District Court Director (Landgerichtsdirektor) at Heidelberg, after having been duly sworn, deposes as follows:

I was born in 1901 in Heidelberg, the son of university professor Dr. Gerhard Anschuetz. After attending high schools (Gymnasien) in Berlin-Grunewald and Heidelberg, I studied law, and according to my inclination, became a judge. Until 1933, I was employed as public prosecutor at Heidelberg, then I was transferred as Judge of a Local Court (Amtsgerichtsrat) and later Judge of the District Court (Landgerichtsrat) at Offenburg (Baden). I was dismissed from service in the armed forces in 1944, because the father of my wife was a Jew, and for the same reason I could no longer be employed as a judge; I was assigned to the War Damages Office (Kriegsschaedenamt) at Mannheim. At present I am engaged again in my old profession as District Court Director (Landgerichtsdirektor) at Heidelberg.

In the attached statements on the problem of "National Socialism and Justice" I have recorded the experience which I was able to acquire during the last twelve years as a judge.

Statements on the Problem "National Socialism and Justice."

It was a matter of course that a totalitarian system like that of National Socialism could not make an exception of the administration of justice in the extension of its power. The "ccordination" or "elimination" of the administration of justice was achieved gradually but purposefully.

1. Immediately after the seizure of power those judges who were undesirable for political or racial reasons were eliminated or demoted from leading positions to unimportant ones; in particular they were eliminated from criminal courts. For this purpose they used the "Law Concerning the Reconstruction of the Professional Civil Service" of 7 April 1933, which did away with the principle that judges could not be removed or demoted and, thereby destroyed the guarantees of the independence of justice.

H1100-0206

2. Subsequently, the system of spying upon and supervising the political opinions of each citizen, which permeated the entire public and private life in Germany, was, of course, also extended to judges. This spy system eventually reached the point of open attacks and defamatory statements in the press; this was done in particularly the newspapers "Der Stuermer" and "Das Schwarze Korps", which took delight in distorting reports of trials and in naming those judges who had imposed sentences which the Party considered intolerable. The political power of these papers, or rather of those persons who were behind them, namely, Streicher and Himmler, was so great that not even the Reich Minister of Justice succeeded in having them publish corrections of trial reports which were demonstrably untrue.

3. Finally, the German Civil Service Code of 26 January 1937 (effective as of 1 July 1937) placed judges on the same level with all other public officials. Article 71 of this Code made it possible to retire any official who "indicated that he was no longer prepared to intercede at all times for the National Socialist State."

4. But while even the German Civil Service Code made certain exceptions for judges (Article 171 prohibited the retirement of judges solely because of the contents of decisions made by them), Hitler, in the Reichstag meeting of 26 April 1942 had the Reichstag confer upon him the "right" to dismiss judges even without regard to vested rights, if he thought it necessary. This Reichstag speech of Hitler's really constituted a signal testimonial to the German judge because it showed that Hitler had reasons to be discontent with the administration of justice in that it had not been sufficiently subservient to the Party.

5. After the issuance of the German Civil Service Code, strong pressure was brought to bear upon all officials, including judges, to join the NSDAP or not to reject requests to join; otherwise there existed the danger that they might be retired or dismissed. But once a Party member, a judge was under Party discipline and Party jurisdiction which dominated his entire life as official and as private person.

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6. In addition to these measures concerning judges, the Party resorted to measures which might be characterized as the "undermining of regular jurisdiction" and the "establishment of special jurisdiction."

Until the end of 1933, the Supreme Court (Reichsgericht) was the highest German tribunal with jurisdiction over cases of treason and high treason. For that reason, the Reichstag fire trial still came before the Supreme Court. As is well known, it ended with the acquittal of most of the accused, whom the regime had hoped to see convicted as members of the Communist Party. After this trial, the Supreme Court was deprived of its jurisdiction in matters of treason and high treason. This was transferred by law of 28 April 1934 to the newly created People's Court (Volksgerichtshof), which, consisted of only two professional judges (even these, of course, were selected primarly because of political considerations) and five higher Party functionaries. Thus, this court offered a guarantee that the law would be applied exclusively in accordance with the principles of the NSDAP.

Even prior to this, the law of 21 March 1933 had created Special Courts (Sondergerichts) for the trial of political crimes. Their members were appointed at first by the Governing Council (Praesidium) of the District Court in whose district the Special Court was established, and later by the Appeal Court President (Oberlandesgerichtspräsident). Actually, only Party members were made judges of the Special Courts.

The power of these Special Courts was increased in the interest of the Party, first, since it was up to the public prosecutor to decide whether to bring a case before the ordinary court or the Special Court and, second, by reason of the fact that not every German attorney but only those specially admitted attorneys could act as defense counsel before the Special Courts, and finally, by the virtue of the fact that there was no appeal from the decisions of the Special Courts.

7. A further means of influencing judges was contained in the institution of "Judges' Letters". In these letters, which were issued by the Reich Ministry of Justice and destined for internal distribution only, law cases were commented upon as illustrative of good or bad examples;

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while no names of judges were contained in them, they did name the respective courts and thus exercized pressure upon the judges.

Under the slogan of "Directed Justice", finally, they used pressure upon judges by having the District Attorney (Oberstaatsanwalt) in important criminal cases which might include non-political matters, inform the presiding judge prior to the trial of the punishment which would be sought and point out that this sentence would be expected of him.

8. The strongest interference with the administration of justice, however, developed increasingly after 1933 "outside of" (neben) the administration of justice. The police, under the command of the Reichsführer SS, arrested persons who were persona non grata for political or even for other reasons without judicial procecure (and, indeed, without any procedure at all) and detained them in prisons and concentration camps. In political cases, it was the rule rather than the exception that accused persons who had been acquitted by the court were taken immediately after trial into "protective custody" by the police and thus disappeared into concentration camps.

9. Finally, the Party sabotaged the administration of justice by failing to execute sentences imposed upon "old fighters" or otherwise specially favored Party comrades and by nullifying the sentences through the arbitrary exercise of the right of pardon.

10. The foregoing list of attempts to influence justice is, of course, by no means complete.

(Signed) Dr. Hans Anschuetz

Sworn to before me this 17th day of
November, 1945, at Heidelberg, Germany.

Seymour M. Peyser
Major, J.A.G.D.

TRANSLATION OF DOCUMENT R-142
OFFICE OF U.S. CHIEF OF COUNSEL

Security-Service Reichs-Fuehrer SS
Unterabschnitt Koblenz
Branch Kochem

Kochem, 7 May 1938.

II 225-0/1
M

Note
forwarded
-7 May 1938
(initialled M. (?))

1. To the
Security Service (SD) - Unterabschnitt Koblenz
Koblenz

Subject: Plebiscite of 10 April 1938. 913/38

Ref. : Your letter II, dated 22 April 1938
our letter II 225-0/1, dated 22 April 1938.

Copy of a schedule is attached herewith enumerating the persons who case "No" votes or invalid votes at Kappel, district of Simmern. The invalid votes are listed first, ending with _____, thereafter come the No-votes.

The control was effected in the following way: some members of the election-committee marked all the ballot papers with numbers. During the ballot itself, a voters' list was made up. The ballot-papers were handed out in numerical order, therefore it was possible afterwards with the aid of this list to find out the persons who cast No-votes or invalid votes. One sample of these marked ballot-papers is enclosed. The marking was done on the back of the ballot-papers with skimmed milk.

The ballot cast by the Protestant parson Alfred Wolferts is also enclosed.

The identification of two persons was impossible because there are several persons of the same name in the village and it was impossible to ascertain the actual voter.

Security-Service-Branch Kochem
initialled: M.
Staffelscharfuehrer

2. for filing II 225-0/1

(Enclosure is list of persons as explained in above letter).

H1100-0209

Security-Service-Reichsfuehrer SS
Unterabschnitt Koblenz
Branch Kochem

Kochem, 22 April 1938.

Note forwarded
22 April 1938

II 225-0/1
M

To the
Security Service Unterabschnitt Koblenz
Koblenz

Subject: Plebiscite of 10 April 1938

Ref. : Your letter of 22 April 1938

Enclosures: 4 - in duplicate.

Supplementing the telephone conversation with SS-Oberscharfuehrer HEINRICH of 21 April 1938, schedules showing the polling results of the villages in the area of this branch are forwarded herewith in accordance with No. 1 of your letter.

The high percentage of No-votes and invalid votes has its reason in nearly all cases in the religious attitude of the population, irrespective of whether they are Catholics or Protestants. The district-manager of the District Kochem gave the assurance that it was mostly women who voted "no" or "invalidly". As became known here a supervisory control was ordered at several localities of the district which has confirmed the assertion of the district-manager. In one village, Fronhofen, district Simmern, see enclosure 3, several inhabitants were fined in the fall of last year because they had shown forbidden church banners at the occasion of a festival at the first ordination of a priest. The bad result in the village Riesweiler in the same district is obviously the result, as the district manager there states of squabbles between the leader of the local party group and several inhabitants. In spite of many endeavors, even on the part of the Gau-leadership, these squabbles could not so far be settled. A report on the village of Kiesselbach has already been made over the phone; in this connection, it must be taken into consideration that the result given has to be corrected because the percentage reported included the "no" votes, but did not include the invalid votes. Aside from religious questions, the following reasons were at the root of the matter. For some time already the consolidation of private property had been under way. The Reich-Food-Estate had promised the peasants in the beginning that the individual plans should not exceed 4 "Morgen" to 1 Hektar (about 2.47 acres). Afterwards it appeared, however, that plans had been made for up to 24 Morgen. Some peasants received property situated near the village while other peasants who formerly had their landed property near the village, now received property at the border of the area. Apart from some individual cases where "no" votes or invalid votes may be attributed to an anti-social attitude, no further reasons beyond those enumerated above, can be found.

Only two cases of direct incorrectness in carrying out the ballot have so far come to our knowledge as may be gathered from enclosures 1 and 2. They affected the localities of Pommern, district of Kochem, and Boppard, district of St. Goar. At the village of Kappel, district of Simmern, an inconspicuous supervisory control of the votes cast was effected without, however, altering the actual results. A special report about this case will follow soon.

Security-Service Branch Kochem

initialled: M
Staffel-Scharfuehrer.

H1100-0210

Enclosure 1

Kochem District

Votes cast	No-votes	Invalid votes	Percentage	Locality
286	14	2	5.6	Beuren
277	24	-	9.5	Lieg
198	14	-	7.1	Poltersdorf
145	5	14	13.1	Urschmitt
495	4 (40)	1 (10)	1.01 (10.1)	Pommern

The figures inserted in () in Pommern give the actual voting results, the published figures give the official result.

Enclosure 2

St. Goar District

Votes cast	No-votes	Invalid votes	Percentage	Locality
4178	11 (130)	2	0.31 (3.1)	Boppard

The figures in () show the actual result of the ballot

(Enclosure 3 for Simmern District showing the actual results for 23 localities and enclosure 4 for Burg in the district of Zell have not been tampered with and are therefore of no special interest.)

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. R-142

8 November 1945

I, ENID STANDRING, P/O WRNS, 52012, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. R-142.

ENID STANDRING
P/O WRNS, 52012

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